United Nations S/PV.4315

Security Council

Fifty-sixth year

Provisional

4315th meeting

Friday, 27 April 2001, 1 p.m.

New York

President	Sir Jeremy Greenstock	(United Kingdom)
Members	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Teixeira da Silva
	Ireland	Mr. Cooney
	Jamaica	Mr. Ward
	Mali	Mr. Ouane
	Mauritius	Mr. Neewoor
	Norway	Mr. Larsen
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United States of America	Mr. Hume

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2001/398).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-35256 (E)

The meeting was called to order at 1 p.m.

Expression of sympathy to the Governments and peoples of Colombia, the Democratic Republic of the Congo and Switzerland

The President: At the outset, I should like, on behalf of the Council, to express profound sympathy and condolences to the Governments and peoples of Colombia, the Democratic Republic of the Congo and Switzerland, and to the bereaved families, in connection with the deaths of two international humanitarian workers of the International Committee of the Red Cross (ICRC) and four nationals of the Democratic Republic of the Congo, who gave their lives yesterday in the cause of peace while serving with the ICRC in the Democratic Republic of the Congo. The Council strongly condemns the wanton killing of those humanitarian workers.

I would like to request members to stand and observe a minute of silence in memory of those six humanitarian workers who so tragically lost their lives on 26 April 2001.

The members of the Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2001/398)

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation concerning Western Sahara, document S/2001/398. Members of the Council also have before them document S/2001/413, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/2001/413) before it. If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1349 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.05 p.m.

United Nations S/PV.4316

Security Council

Fifty-sixth year

Provisional

4316th meeting

Friday, 27 April 2001, 1.05 p.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Teixeira da Silva
	Ireland	Mr. Cooney
	Jamaica	Mr. Ward
	Mali	Mr. Ouane
	Mauritius	Mr. Neewoor
	Norway	Mr. Larsen
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United States of America	Mr. Hume

Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Establishment of the list of candidates for ad litem judges.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-35262 (E)

The meeting was called to order at 1.05 p.m.

Adoption of the agenda

The agenda was adopted.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Establishment of the list of candidates for ad litem judges

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/391, which contains the text of a letter dated 19 April 2001 from the Secretary-General. Members of the Council also have before them document S/2001/414, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/2001/414) before it. If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1350 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.10 p.m.

United Nations S/PV.4317

Security Council

Fifty-sixth year

Provisional

4317th meeting

Thursday, 3 May 2001, 10.45 a.m.

New York

President:	Mr. Cunningham	(United States of America)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Ouane
	Mauritius	Mr. Neewoor
	Norway	Mr. Strømmen
	Russian Federation	Mr. Lavrov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-35824 (E)

The meeting was called to order at 10.50 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of May, I would like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Sir Jeremy Greenstock, Permanent Representative of the United Kingdom, for his service as President of the Security Council for the month of April 2001. I am sure that I speak for all members of the Council in expressing deep appreciation to Ambassador Greenstock for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357)

The President: I should like to inform the Council that I have received letters from the representatives of Angola, Burundi, Canada, the Democratic Republic of the Congo, Japan, Namibia, Rwanda, the Sudan, Sweden, Uganda and the United Republic of Tanzania, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I welcome the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Leonard She Okitundu.

At the invitation of the President, Mr. She Okitundu (Democratic Republic of the Congo) took a seat at the Council table.

The President: I welcome the Special Envoy of the President of the Rwandese Republic, His Excellency Mr. Patrick Mazimpaka.

At the invitation of the President, Mr. Mazimpaka (Rwanda) took a seat at the Council table.

The President: I welcome the Minister of State for Foreign Affairs and Regional Cooperation of Uganda, His Excellency Mr. Amama Mbabazi.

At the invitation of the President, Mr. Mbabazi (Uganda) took a seat at the Council table.

The President: I welcome the Minister of Finance of Burundi, Mr. Charles Nihangaza.

At the invitation of the President, Mr. Nihangaza (Burundi) took the seat reserved for him at the side of the Council Chamber.

At the invitation of the President, Mr. Mangueira (Angola), Mr. Heinbecker (Canada), Mr. Akasaka (Japan), Mr. Andjaba (Namibia), Mr. Erwa (Sudan), Mr. Norstrom (Sweden) and Mr. Mwakawago (United Republic of Tanzania) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Safiatou Ba-N'Daw, Chairperson of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.

There being no objection, it is so decided.

I invite Ms. Ba-N'Daw to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 12 April 2001 from the Secretary-General to the President of the Security Council transmitting the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, document S/2001/357.

I should also like to draw the attention of the members of the Council to the following documents: S/2001/378, letter dated 16 April 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council; S/2001/402, letter dated 24 April 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council; and S/2001/433, letter dated 1 May 2001 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council.

On behalf of the Security Council, I would like to welcome Foreign Minister She Okitundu of the Democratic Republic of the Congo, Minister of State Mbabazi of Uganda and Minister of State Mazimhaka of Rwanda. We look forward to their remarks. We also welcome Ms. Ba-N'Daw, Chairperson of the Panel of Experts.

I would like to take this opportunity to thank our colleague Ambassador Mutaboba of Rwanda for his service to his country and the United Nations. We wish him a safe journey home and extend a warm welcome to his successor, Ambassador Gasana.

Today's meeting occurs against a backdrop of sadness and outrage in the Democratic Republic of the Congo and the international community. Six representatives of the International Committee of the Red Cross were brutally murdered on 26 April.

In the presence of Foreign Minister She Okitundu, we extend our condolences to the families of the four Congolese victims. In the presence of our Colombian and Swiss colleagues, we extend the same message of sympathy for their nationals, who also lost their lives in the service of our common humanity.

We express the hope that the perpetrators of this crime will be brought to justice. We all need to work for the safety and protection of humanitarian personnel throughout the world and support those who seek to alleviate human suffering caused by conflicts that we seek to resolve.

I would like to note also that our discussion today takes place 15 months after the last United States presidency of the Security Council, and we also discussed the situation in the Democratic Republic of the Congo. Much has changed, but much remains to be done, and our discussion today on this important topic should be seen in the context of this Council's determination to help bring the tragic conflict in the Congo to an end.

I shall now give the floor to Ms. Safiatou Ba-N'Daw, Chairperson of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.

Ms. Ba-N'Daw (*spoke in French*): I am grateful for this opportunity to present the results of our work to the Member States of the United Nations.

The mandate entrusted to us by the Security Council had three main points: to consider the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo; to research and analyse the links between the exploitation of resources and the continuation of the conflict; and to make recommendations to the Security Council. The results of our work are presented in the order recommended in our mandate.

First is the illegal exploitation of resources and other forms of wealth. The Rwandan and Ugandan armies, and to a lesser extent the Burundi army, have been engaging in massive looting of the natural resources of the Democratic Republic of the Congo since 1998. This exploitation has benefited from existing structures that date back to the war of August 1998. This exploitation takes two forms: mass-scale looting and the systematic and systemic exploitation of resources.

The mass-scale looting has consisted mainly of the extraction, removal and confiscation of natural resources, which are amassed or placed in reserve by private individuals, companies or other groups. Military and civilian officials of these two countries, as well as the rebel leaders, have profited directly in most cases.

The systematic and systemic exploitation has required good organization and appropriate infrastructure. In the case of Uganda, General Kazini has set up networks and circuits with individuals he controls. In the case of Rwanda, the organization is more sophisticated and involves various levels. In short, an entire system has been set up by the authorities of certain countries with a view to greater efficiency in the exploitation of the natural resources of the Congo.

As regards the Government, although we cannot speak of the illegal exploitation of natural resources, the Panel has nonetheless identified some rather surprising practices by which the Government of the late President took some of the profits of parastatal entities or granted concessions to the companies of associates, in violation of certain procedures.

On the first point of the mandate, the Panel concludes that certain Congolese and the Ugandan and Rwandan armies are engaging in the exploitation of natural resources and have set up structures to facilitate this exploitation. That exploitation involves coltan, gold, diamonds, timber, ivory, coffee and fiscal resources.

The links between the exploitation of resources and the continuation of the war are found at three levels: at the level of personal gains of high-ranking military and civilian officials, who benefit either from direct financial gains or from getting important contracts for their companies; in the field, because there is more fighting between the regular armies of non-invited States and the Mai-Mai and other negative forces in the mining areas than at the official front, where they have to deal with the Congolese Armed Forces (FAC) and its allies; and at the level of financing the conflict, because of the gap between the military expenditures of the various armies and the level of the defence budget of the various countries.

The conflict is financed in four ways, all of which are linked to the exploitation of resources of the Democratic Republic of the Congo.

The regular armies are financed from the public coffers. The problem often is how to meet the shortfalls. In some cases, it is the public coffers that provide that role. However, the public coffers often benefit from a trickle-down effect of the re-exportation economy based for the most part on the exploitation of the resources of the Democratic Republic of the Congo.

There is also financing from secret funds, as well as free financing, which allows the armies stationed in the Democratic Republic of the Congo to receive funds directly or indirectly from local companies or individuals involved in the exploitation of natural resources.

There is also financing through barter, in which the authorities in control of a given area grant a mining or other concession to one enterprise, which provides military equipment in exchange.

The recommendations are essentially of six kinds. However, the Panel stresses only four for the sake of presentation: sanctions against countries and entities illegally exploiting the natural resources of the Democratic Republic of the Congo; preventive measures with a view to avoiding the situation's recurrence; compensation for those suffering the illegal exploitation of their natural resources; and the establishment of a framework for the reconstruction of the occupied areas.

The Panel thanks all those who supported it in its work. This is also an excellent opportunity for us to thank in particular the Government of Uganda, which provided all the information we asked for.

The Panel had a difficult and very delicate mission that had to be carried out and completed in extremely adverse and hazardous circumstances in a sensitive region where the susceptibilities and ambitions of the belligerents have reduced the life of the local populations to insecurity and uncertainty. Life in the region today hangs in the balance. We are grateful to God for our safety and that of the many witnesses with whom we spoke, as well as and especially that of ordinary Congolese.

The President: I wish to acknowledge the presence among us of the Secretary-General and to thank him for coming.

I now give the floor to the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo.

Mr. She Okitundu (Democratic Republic of the Congo) (*spoke in French*): At the outset, on behalf of Major-General Joseph Kabila, President of our Republic, and of my Government and people, as well as on my own personal behalf, I extend our deepest condolences to you, Sir, to the families of the victims, to the International Committee of the Red Cross (ICRC), and to the Governments of Switzerland and Colombia over the cowardly murder on 26 April of six members of the ICRC, including four nationals from my country. My Government pays tribute to the dedication of the people of the ICRC who have given their lives to ease the suffering of my people. Despite this tragedy, it is our hope that the ICRC and all other

humanitarian organizations will continue their efforts to help the people of my country.

I express my delegation's pleasure at seeing you, Sir, preside over this open meeting of the Security Council on the situation in the Democratic Republic of the Congo. We are pleased that the Security Council is currently being led by the representative of the United States this month, a crucial and decisive moment for putting a final end to the war of aggression that has been waged against my country for 34 months. I also take this opportunity to extend to you, on behalf of my delegation and on my own personal behalf, my warmest congratulations on your assumption of the presidency of the Security Council, the principal organ for the maintenance of international peace and security.

My delegation also acknowledges the excellent work of the delegation of the United Kingdom of Great Britain and Northern Ireland during its presidency last month.

We also pay a well-deserved tribute to Mr. Kofi Annan, Secretary-General of the United Nations. My country is grateful to him for his outstanding efforts to restore peace to the Great Lakes region and to the Democratic Republic of the Congo in particular. He has shown enormous energy and perseverance in seeking to end the useless and senseless violence that has taken so many lives in our country. The Democratic Republic of the Congo, through its highest authority, Major-General Joseph Kabila, President of our Republic, hopes that the Secretary-General will be able, in a second term, to maintain the situation in the Democratic Republic of the Congo as one of his top priorities and to pursue his most commendable work towards lasting peace and reconstruction in my country.

Lastly, I would thank Mrs. Safiatou Ba-N'Dow and all members of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo for their essential report, which is of great political and historic significance to us in the Congo. It demonstrates that the false pretext of border insecurity is no longer tenable and that the real motive for the aggression is the systematic plundering and illegal exploitation of the natural resources of the Democratic Republic of the Congo. The aggressor countries have occupied Congo because of their vast economic interests there, which fuel their warmongering. We therefore welcome the report in document S/2001/357.

We bitterly regret, however, the fact that the report confirms rather belatedly what my country has loudly proclaimed since the very beginning of the aggression, namely, that the main objective has not been the security concerns of the three aggressor countries: Uganda, Rwanda and Burundi. The memorandums and all the white books that my Government has conveyed to the Security Council since August 1998 clearly show the double link between the illegal exploitation of our resources and the unleashing of the war, as well as between the illegal exploitation and the mass violations of human rights and international humanitarian law. These documents have been submitted to the Council, which has issued them as official documents.

In paragraph 1 of General Assembly resolution 1514 (XV) of 14 December 1960, "Declaration on the granting of independence to colonial countries and peoples", whose provisions are essentially duplicated in resolution 2625 (XXV), it is stated that

> "The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation".

We thank you, Sir, and all members of the Security Council for having included on the Council's agenda the item on the illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo, in violation of its national sovereignty. The item is indeed within the competence of the Security Council because of the Council's principal responsibility under the Charter for the maintenance of international peace and security. The subject logically falls within the Council's interest in a swift return of lasting peace to my country and my people.

My delegation is pleased that a consensus is clearly emerging today within the Council and the international community on the direct linkage between the planned massacre of the Congolese people, the shameless looting of the resources of the Democratic Republic of the Congo and the continuation of fighting. All of this ends up seriously impoverishing our people.

My delegation is pleased that in order to delimit the goal of its work, the Panel of Experts decided to define and interpret the concept of "illegal exploitation". This deals with all the extracting, producing, marketing and exporting activities carried out in the Democratic Republic of the Congo in violation of its sovereignty, in violation of mining and environmental measures and in violation of international contractual and customary law.

We would remind the Council of the following.

First of all, in the Corfu Channel case, in 1949 the International Court of Justice issued a ruling in which it affirmed that among independent States, respect for territorial sovereignty is one of the essential bases of international relations. The concept of sovereignty includes exclusivity, autonomy and full authority within the territorial region.

Secondly, General Assembly resolution 1803 (XVII) of 14 December 1962, entitled "Permanent sovereignty over natural resources," in paragraph 7 states that violating the rights of peoples and nations to sovereignty over their natural resources and wealth is contrary to the spirit and letter of the principles of the Charter of the United Nations and hinders the development of international cooperation and the maintenance of peace.

The report of the Panel of Experts describes most eloquently the structures used by the occupying forces, namely, Rwanda, Uganda and Burundi, whose iniquitous and villainous methods are unequalled in the darkest chapters of modern history.

Death threats against the members of the Panel of Experts are unacceptable. It is up to the Security Council, which gave them their mandate, to ensure their security and to require that all States concerned cooperate fully with the United Nations so that the truth can burst forth.

The greed of the aggressor countries has sown death and destruction throughout my country. The Council will recall the terrifying figures cited by Ms. McAskie, Emergency Relief Coordinator *ad interim*, in her report on 28 November 2000. The report noted the 16 million Congolese who were directly affected by the war of aggression — that is 33 per cent of the entire population of the country. Two million died as direct and indirect victims of the war, including approximately 600,000 children under five years old. Many other millions of innocent Congolese civilians have become refugees in other countries or are internally displaced. These figures have been confirmed by the European Office of Humanitarian Assistance and the International Rescue Committee, which reported on nearly 3 million dead in the areas occupied by the aggressors. This is an appalling, intolerable situation.

The Council will recall the massacres of peaceful Congolese civilians, the assassinations and murders of civilians and Congolese prisoners, the deportation of entire populations, attacks on individuals, rape and the deliberate spreading of the AIDS virus.

The Council should remember the suffering of the city of Kisangani, where three times the Rwandan and Ugandan troops clashed, bombing residential areas, cultural objects and places of worship despite their being protected by the provisions of article 53 of Additional Protocol I to the Geneva Conventions of 12 August 1949, and thus causing loss of human life, especially among the vulnerable, mostly women and children. Following these hateful acts, the Council adopted resolution 1304 (2000) of 16 June 2000 and called for the immediate, unconditional withdrawal of Ugandan and Rwandese troops. We deplore the fact that today, about a year later, despite measures taken by the International Court of Justice in The Hague last July, the city is still occupied.

More recently in Ituri, Ugandan troops caused deadly clashes between the Hema and Lendu, two important ethnic groups in our Orientale province, who until then were living in peace.

On the moral, material and physical levels, the damage that has been done is enormous. The Congolese people, who warmly welcomed the report of the Panel of Experts, are now entitled to call for appropriate reparations pursuant to article 91 of Additional Protocol I of the Geneva Conventions. It provides that a party to a conflict which violates the provisions of the Conventions and the Protocol shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces. Paragraphs 87 to 93 in the report of the Panel of Experts clearly indicate the names of individuals implicated in the looting.

Let me offer a few arguments proving that what has happened in my country did not happen by chance, but was rather premeditated and carefully planned. On

31 August 1998, my Government submitted a memorandum on the armed aggression by the Rwandan/Ugandan coalition against the Democratic Republic of the Congo. The memorandum, issued as an official document of this Council, showed how powerful alliances of interests made use of the move by aggressor countries to serve their goal of dismembering Central Africa for the purposes of economic domination and control of the sources of important raw materials.

The geographic zones of expansion of this Balkanization strategy extend from the north of the mining province of Katanga to the southern Sudan, passing through the forests of the province of Maniema, the Ruzizi valley in South Kivu, the province of North Kivu and Orientale province. These vast geographical areas contain enormous, coveted wealth, such as strategic minerals, gold, diamonds, oil, niobium, columbo-tantalite (coltan), timber, coffee, quinine and so forth.

At the environmental level, the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo, in violation of its sovereignty, has had devastating and perhaps irreversible consequences for the management of the flora and fauna. Entire national parks — Virunga, Garamba, Salonga, Kahuzi-Biega — that were classified by UNESCO as the heritage of mankind have been completely devastated. First they were victims of the flood of Rwandan refugees and people displaced by successive conflicts. Then the parks became the target of poaching established as a practice of war and of organized illicit trafficking.

My delegation made a heartfelt appeal to the Security Council that it should call on the international community to react and help us protect unique species. Because of the savage slaughter with automatic weapons by the occupying forces, Congolese elephants, bonobos, gorillas in the eastern plains, mountain gorillas, chimpanzees, baboons, white rhinoceroses, okapis and Congolese peacocks are all being exterminated.

As a result of this enormous undertaking, only the people of the Congo are losing. Continuation of this unjust and senseless war and the illegal exploitation of the natural resources and other forms of wealth have greatly increased the suffering of our people.

We were outraged to hear that even yesterday Uganda was being praised by the Bretton Woods institutions when at the same time the report of the Panel of Experts, in paragraphs 187 to 190, shows how the systematic looting of Congolese resources has directly contributed to improving the balance of national accounts in that country and in Rwanda. The fact that our aggressors are on the list of countries benefiting from the Highly Indebted Poor Countries Debt Initiative is seen by my people as rewarding them for their crimes.

My country endorses the recommendations by the Panel of Experts in paragraphs 236 to 242. These relate to reparations and compensation for the Congolese people and show that it is necessary to set up a framework for the reconstruction of the country. To that end, the conditions should be created to bolster the powers of the State and to enable it to provide improved safety and security for people throughout its national territory.

In paragraph 239 of its report, the Panel of Experts recommends the establishment of an international mechanism that will investigate individuals named in that paragraph as being involved in economic criminal activities. That list should be expanded to include those named in paragraph 211 as being on the verge of becoming the godfathers of this illegal exploitation. My Government considers that the Council should act swiftly on the basis of these relevant recommendations.

With all due respect for Rwanda, the systematic looting of the natural resources of the Democratic Republic of the Congo has helped finance and support the war in my country. My delegation would recall that pillage is prohibited under article 33 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The aggressors bear the shame of claiming to teach the people of the Congo a lesson in democracy and good governance. But in fact, they are bands of looters. They will answer to history for this barbarism, which will go down in the annals of mankind, along with their attendant atrocities and massacres.

I wish most sincerely to thank Angola, Namibia and Zimbabwe, which have come to my country's assistance in the framework of the self-defence provisions of the statute of the Southern African Development Community and in conformity with the

relevant provisions of the United Nations Charter. I must point out that, in the absence of the aggression of which the Democratic Republic of the Congo is victim, the allied troops of Angola, Namibia and Zimbabwe would certainly not be on Congolese territory.

My Government wishes also to pay hearty tribute to the entire Congolese people, which has tirelessly stated, loud and clear, its devotion to the Congolese nation and its keen wish to coexist within a united, strong country, in line with the founding accord of the republic and with the self-determination achieved on 30 June 1960.

My delegation assures the Council and the international community that His Excellency Major General Joseph Kabila, President of the Republic, is determined on behalf of the Congolese people to restore peace through a diplomatic solution to the conflict. On 2 February 2001, the Security Council heard His Excellency Major General Joseph Kabila, President of the Republic, speak at length about the illegal exploitation of natural resources and other forms of wealth in my country. That exploitation must end immediately: the consequences for present and future generations are already extremely grave.

The illegal exploitation of the mining resources of the Democratic Republic of the Congo by aggressor States and their nationals violates the right of the Congolese people to self-determination. It also violates the principle of the territorial integrity and sovereignty of the Democratic Republic of the Congo, which the Security Council has repeatedly reaffirmed in all its resolutions on the situation in my country.

With a view to attaining the peace demanded by my people, and in the light of the gravity of the situation, my Government calls on the Security Council to call for protective measures comprising an embargo on looted products in transit through, inter alia, Kigali, Bujumbura and Kampala. And principally we call on the Council to implement all the recommendations of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, including: order the demilitarization of the city of Kisangani, reparations for material damage, and compensation for the population in accordance with resolution 1304 (2000) of 16 June 2000; state that only the total and final withdrawal by the aggressors can guarantee an end to the looting of the wealth of the Democratic Republic of the Congo; recognize the grave moral, material and physical damage suffered by the Congolese people as a result of this war and the concomitant mafia-like activities; order meaningful reparations for that damage in order to restore the rights of the Congolese people; and order that legal action be taken against the perpetrators of this looting and their accomplices.

The President: I thank the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo for the kind words he addressed to me.

The next speaker is the Special Envoy of the President of the Rwandese Republic, His Excellency Mr. Patrick Mazimpaka, on whom I now call.

Mr. Mazimpaka (Rwanda): My delegation would like to congratulate you, Sir, on your assumption of the presidency of the Council for the month of May. Our congratulations also go to your predecessor, Sir Jeremy Greenstock, for a job well done last month. I wish to thank you and, through you, the Security Council for convening this open meeting, at which delegations can express themselves on the contents of the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, document S/2001/357 of 12 April 2001, which has just been presented to the Council.

Rwanda fully cooperated with the Panel, as is rightly recognized in the report; since the publication of the report we have put forward the reaction of the Government of Rwanda, which is set out in document S/2001/402, to which reference has been made, for everybody to read through in order to see our detailed comments.

We believe that the mandate given to the Panel was not carefully defined; this led to contentious interpretations. In our view, there are four major issues that made the Panel of Experts produce a report that we do not endorse.

First, the report interpreted "illegality" to mean activities carried out without the consent of a legitimate Government or of an authority exercising power and control over territory. Those concepts, which are generally accepted, are, in the context of the Democratic Republic of the Congo, defined also in the Lusaka Ceasefire Agreement: article III, paragraph 18,

stipulates that State administration shall be exercised by the Congolese signatories until new institutions emanating inter-Congolese dialogue are set up. That has not yet happened. Since that Agreement received and, we hope, continues to enjoy the support of the Council, we would have expected the Panel to adopt the letter and spirit of the Agreement.

Secondly, the Panel extended the definition of natural resources and other forms of wealth to include services, transport, finance, and other movements of goods and people. In our region, these are regulated by multinational agreements, which include those between our three countries — the Democratic Republic of the Congo, Burundi and Rwanda — and the conventions of the Economic Community of the Great Lakes Countries (CEPGL), as well as regional arrangements, such as those under the Common Market for Eastern and Southern Africa (COMESA) and the Northern Corridor arrangement; these conform also to World Trade Organization conventions.

Ignoring these historical ties among the peoples of the region is prejudicial to the socio-economic well-being of the people of the region, and more particularly those of the Democratic Republic of the Congo cut off from Kinshasa, who have been historically linked to the world through eastern routes through Rwanda, Burundi and Uganda.

Thirdly, the sources cited by the Panel do not reflect the efforts that the Government made to facilitate access to information. The Panel had an opportunity to meet Rwanda's head of State, President Paul Kagame, for two hours. Nothing in the report indicates that the Panel benefited from that meeting. It is also true that none of the conclusions were put to the President for discussion. The same goes for the large number of ministers and officials who made themselves available to discuss the issues with the panel.

Fourthly, the private sector, which was characterized as pivotal in the illegal exploitation, was never contacted to clarify their business practices or credentials to the Panel. That is against the norms of natural justice.

We can only conclude that the panel relied on unacceptable sources variously described in the report as deserters, a "high number of insiders living in the Democratic Republic of the Congo and in Europe" (*S/2001/357, para. 11*) and "reliable sources" (*ibid., passim*) that are not identified. One wonders why the Panel could not appreciate that such politically motivated sources would only give information to serve their own political agendas. Deserters would in normal circumstances be defectors from one side to another, and would only slur the side they had left.

We find it unusual that a panel of experts would evaluate its own report, pass judgement and impose punitive measures — as this one did — and that it would do that on the basis of a report that the Panel admits is today only 70 per cent complete. It surely should not include condemnations of heads of State and their families, companies and individuals without meeting the burden of proof of guilt. The way heads of State are treated in this report is simply unacceptable and sets a dangerous precedent.

Since the report concludes that economic reasons have superseded the security concerns of Rwanda, allow me to reiterate the reasons why Rwanda has had to defend its citizens against a murderous war waged from the Democratic Republic of the Congo.

Members of the Council may recall that, after the genocide of 1994, the Security Council was on numerous occasions seized of the matter of the precarious security conditions caused by Interahamwe militia and ex-Rwandese Armed Forces (FAR) soldiers in refugee camps in Zaire. No solution was found by this body. It became necessary for Rwanda and its allies to find a solution to that situation. I am glad to say that this was done with a measure of success, because 1.5 million refugees were able to return home and security was restored to Rwanda for a while. However, the situation changed dramatically when the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) Government of President Laurent Kabila decided to regroup and rearm those forces.

Once again, appeals to the United Nations to avert the looming crisis multiplied. The Security Council set up an International Commission of Inquiry that established beyond a reasonable doubt the existence of well-organized forces bent on destabilizing the Great Lakes region. Those included, and were organized around, the Interahamwe and ex-FAR militia, which at the time numbered 70,000. The report contained in document S/1998/1096 described as profoundly shocking the network of forces from Rwanda, Burundi, Angola and Uganda, the unhindered flow of arms to them, and the support they were receiving from the Government of the Democratic

Republic of the Congo. At that time western Rwanda, the prefecture of Gisenyi, Ruhengeri, Kibuye and Cyangugu and parts of Byumba, Kigali and Gitarama were described as red zones by United Nations agencies because of insecurity due to incursions by those forces based in the Democratic Republic of the Congo.

The situation changed dramatically when Rwandan forces were able to put an end to those infiltrations and push those forces back into the Democratic Republic of the Congo — helped that time by a rebellion against the Kabila Government. Security was gradually restored in Rwanda and, though not completely to date, in North Kivu. That situation enabled Rwanda to continue to repatriate refugees and to reintegrate them into our society. Close to 100,000 refugees have returned in the last six months alone, and a total of 18,000 ex-FAR soldiers have been reintegrated in the national army — the Rwandan Patriotic Army (RPA) — at command, staff and other ranks. The improvement in security and other developments in the human rights area convinced the Special Rapporteur to recommend, successfully, that the Commission on Human Rights put an end to its monitoring of Rwanda. We hope that this can be achieved in the whole region once we succeed in putting an end to the activities of the negative forces.

The war in the Democratic Republic of the Congo brought in several countries and generated rebellions against the Government. In a genuine attempt to find solutions to the multiple causes of the conflict, the belligerents negotiated the Lusaka Ceasefire Agreement with the assistance of countries of the region. That Agreement addresses the sovereignty of the Democratic Republic of the Congo, including control over its resources, the rights of the Congolese people and the security of neighbouring countries. The Lusaka Agreement provides for mechanisms to rid the Democratic Republic of the Congo of all the negative forces. That is a task the Security Council can ignore only at the peril of the Democratic Republic of the Congo and the region. Signatories to Lusaka, today at least, appear to be working in tandem to implement the Agreement as it is, and need unconditional support from this body. At this stage, the implementation of both the Lusaka Agreement and Security Council resolution 1341 (2001) is of paramount importance.

We are also busy preparing plans for the disarming of the forces upon which the Security Council had imposed sanctions in connection with rearming through resolution 918 (1994). Had the Council reinforced that resolution, the Lusaka Agreement would be far advanced today and the situation in the Democratic Republic of the Congo and the region would certainly have improved. We urge the Council to re-examine its resolutions on the situation, and in particular with regard to the activities of the Interahamwe and ex-FAR troops, namely, resolutions 918 (1994), 997 (1995), 1011 (1995), 1013 (1995) and 1161 (1998), as well as the letter contained in document S/1998/438 and the report contained in document S/1998/1096. We also urge the Council to take action without further delay so as to neutralize these groups and their mushrooming allies — such as the Forces pour la défense de la démocratie (FDD) and the Mayi-Mayi. All countries should be discouraged from continuing to support these forces by all means available to the Council.

It came to our attention that the Panel is seeking the extension of its mandate to do what it terms the remaining 30 per cent of the work to be done. The Council may recall that in February 2001 the preliminary report was considered inadequate and inaccurate. At that time we pointed out those inaccuracies. To our knowledge, the Panel never went back to the field to cross-check the information. We are also forced to deal with a "final" report that the Panel itself admits to be only 70 per cent done, and on the basis of which Rwanda, its leaders and its citizens are unreservedly condemned. Such a request is simply meant to pre-empt reactions from people and countries, like Rwanda, that have been wrongly accused by the Panel.

Rwanda proposes that this report should be dropped altogether because it is inaccurate and inconclusive and does not in any way interpret the wishes of the Council. It does not reflect the genuine desire of members to establish the state of affairs in the Democratic Republic of the Congo so as to recommend ways and means of rectifying the situation, in the interest of the Congolese people. It does not do justice to countries like Rwanda, which went out of its way to cooperate with the Panel.

However, should it please the Council to reopen the investigations and correct the numerous lacunae in the report just presented, then Rwanda wishes to propose the following.

First, the Council and the Member States which are the subject of this investigation should agree on the terms of reference and spell out the appropriate methodology. Secondly, clear definitions of terms loosely used in the previous report, such as "illegal", "legitimate", "power" and "control", should be established in relation to the specific and unique political situation prevailing in the Democratic Republic of the Congo and in the region. Thirdly, treaties, agreements and protocols governing the trade regime in the region should be duly recognized. And fourthly, the responsibilities of countries of destination of the resources should be determined with regard to both import and export activities.

My delegation respectfully wishes to urge the Security Council to keep on course insofar as securing peace and security in the Great Lakes region is concerned. The Council will be encouraged to know that, since the last meeting between the Council and the Lusaka signatories, the commitment to the implementation of the Lusaka Agreement demonstrated then has borne some fruit. The disengagement exercise, in spite of a few problems, is effectively complete. Joint planning between the Joint Military Commission and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) for the disarmament, demobilization, repatriation and resettlement of negative forces is under way, as envisaged by resolution 1341 (2001). The inter-Congolese dialogue, crucial for re-establishing common State authority over the whole Congolese territory, was due to be launched in Lusaka this morning. The concept of the plans for the final withdrawal of all foreign forces from the Democratic Republic of the Congo was approved last month, and planning will start soon.

The Lusaka process provides us with the only realistic and long-lasting approach to the problems of the Great Lakes region. Rwanda believes that its security concerns cannot be minimized by any other considerations. It believes also that in Lusaka all the parties will find equitable solutions to the problems that face their respective countries. The Security Council and the whole United Nations system should continue to accompany our countries in the quest for the successful and timely implementation of the Lusaka Ceasefire Agreement as it is.

The President: I thank the Special Envoy of the President of the Rwandese Republic for the kind words he addressed to me.

The next speaker is the Minister of State for Foreign Affairs and Regional Cooperation of Uganda, Mr. Amama Mbabazi, to whom I give the floor.

Mr. Mbabazi (Uganda): It is an honour for me, on behalf of the delegation I lead and of my country, to address this important meeting of the Security Council on the final report of the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo.

I am particularly happy to see the presidency of the United States once again taking an interest in the search for a lasting peace in the Great Lakes region. We can only assure you, Sir, of our readiness to render Uganda's full cooperation to enable you to achieve this noble objective.

We are equally grateful to Her Majesty's Government of the United Kingdom for the able leadership of Her Majesty's Permanent Representative, Sir Jeremy Greenstock, whose presidency last month made the necessary preparations for this meeting.

The Government of Uganda is most obliged to all of the members of the Security Council for the onerous task of the maintenance of international peace and security, which they all render to the world on behalf of the United Nations.

The Government of Uganda welcomes the release of this report. I wish to thank you once again, Mr. President, as well as the Council, for giving us the opportunity to respond to its contents. I will present to the Council Uganda's response in full. This response covers all of the allegations against Uganda in the report. I have also attached the personal response of President Museveni of Uganda, a copy of which he has already sent to the Secretary-General and which has, I hope, already been circulated to Council members.

Allow me therefore, in the short time I have, to give the Council a summary of this response. My summary, like the response itself, will cover three areas. First, we will talk about the principle itself of investigating these allegations. Secondly, we will make comments on the contents of the report, and especially on the quality of the evidence presented. Finally, we will talk about the way forward.

The report of the Panel raises important issues to be investigated which are of interest to Uganda. In 1998, Uganda and Rwanda heard of some allegations made against some officers of our armies operating in the Congo. At the summit held in Kampala in October 1998, a decision was made to establish a ministerial probe committee — which I was privileged to co-chair, along with my colleague the head of delegation of Rwanda — to look into those allegations.

It was as a result of those allegations that President Museveni, in his capacity as Commander-in-Chief of the Ugandan People's Defence Forces, issued an order dated 5 December 1998 to all Ugandan troops in the Democratic Republic of the Congo and Government officials prohibiting them and their families from engaging in any trade in the Congo. It will be of interest to the Council to know that since that time, that order has been actively enforced and that some people who have fallen afoul of it have suffered disciplinary consequences.

We therefore support and welcome the principle of investigation. We take note of the Panel's serious allegations that, although the Ugandan Government is not institutionally involved, as the report states in paragraphs and 7 and 85, top Ugandan military officers and civilians are involved in the illegal exploitation of resources in the Democratic Republic of the Congo. This is the first time that allegations of illegal exploitation have been specified, and we welcome the opportunity to put these matters to rest.

In the case of the military officers and civilians who are mentioned in the report, and in the case of the Department of Forestry, which is alleged to have colluded with private companies in a scheme to facilitate the certification of timber from the Democratic Republic of the Congo illegally, I am happy to inform the Security Council that the Government of Uganda has decided to establish a judicial commission of inquiry on this matter. The commission will be independent; it will work openly and transparently. The actual composition will be announced in due course in Kampala.

Having said that, I should like to say that Uganda has serious problems with this report. The report has fundamental flaws in it. The first flaw is the very basis on which it is founded: the definition of illegality. The Panel defines illegality as meaning the violation of sovereignty, and says that, according to this Council's understanding of the definition, all activities in the Democratic Republic of the Congo which are taking place without the consent of the Government in Kinshasa are illegal. It goes further, saying that that interpretation suggests that only non-invited forces and their nationals are carrying out illegal activities in the Congo. Finally, the Panel deems illegality to be the carrying out of an activity in violation of regulations established by the Government in Kinshasa, stating that that definition is based on the Security Council's understanding of the term illegality.

We have a very serious problem with that definition in many ways. First of all, as the Council knows, Uganda fully participated in the debate when the resolution establishing the Panel to investigate this matter was adopted by the Security Council. This question of legality or illegality was, indeed, debated in the context of whether the investigation should cover the whole of the Congo or part of the Congo. The argument that the investigation should cover only the eastern Congo was based precisely on the question of legality and legitimacy. But there was an argument, clearly presented by my colleague from Rwanda, that, in fact, the Lusaka Agreement clearly took care of this point, because it defined the question of legality during the period of the implementation of the Lusaka accord. It was agreed that for that period, as provided for in the Lusaka accord, the three Congolese parties signatories to that accord — the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy (RCD) and the Movement for the Liberation of the Congo (MLC), as it was then known — would each be charged with the responsibility of administering the area that it controlled until State administration was re-established after the national dialogue resulted in a new political dispensation in the Democratic Republic of the Congo.

This argument was presented to this Council and, obviously, the Council, it its wisdom, decided that the investigation should therefore cover the whole of the Congo, not just part of it. I therefore have no reason to believe the Panel when it says that this definition was the understanding of the Security Council.

Secondly, if, indeed, that definition as stipulated by the Panel in the report had been intended, there would have been no need to have an investigation. It is public knowledge that 40 per cent of the country is under the control of the Government in Kinshasa and that the other 60 per cent is under the control of rebel

authorities. It is also common knowledge that normal life — normal in the context of a war situation — goes on in the areas controlled by the rebels. It would not, therefore, have been necessary to establish a Panel to investigate something that everyone accepted: the fact that the central Government in Kinshasa had no authority and was therefore not consenting to the activities that were taking place in 60 per cent of Congo, which would, therefore, have been declared illegal straight away.

The importance of this point lies in the fact that the rest of the report, and the rest of the investigation, was based on the understanding that every activity — the extraction of minerals, production of any kind and any commerce or export in areas not controlled by the Government — was illegal and therefore defined as looting and plundering of the resources of the Congo. We think that that is erroneous; it is an incorrect definition of illegality, and we do not believe that that was the meaning conveyed to the Panel by this Council.

Of course, the results are obvious; they are self-evident. Although the report says that the Panel did not receive cooperation from the Government side and its allies, there is no indication that there was actually a serious attempt to carry out an investigation. Indeed, the report clearly discloses that the Panel acted on the assumption that whatever happened on the side controlled by the Government was legal and therefore not subject to investigation.

The second flaw in this report is the quality of the evidence presented. Most of the evidence is either hearsay or falsehoods, and the Panel makes statements which are not attributed. As I said earlier, in our response we tackled the report paragraph by paragraph to show that most of the evidence on which it is based is, in fact, hearsay. I will pick out one example to illustrate the point. Paragraph 27 of the report states that

> "Numerous accounts in Kampala suggest that the decision to enter the conflict in August 1998 was defended by some top military officials who had served in eastern Zaire ... and who had had a taste of the business potential of the region."

It does not give us the sources. However, we know that these stories are abundantly available in the public domain in Uganda. They are in newspapers; they are on the streets.

We think this is a very serious matter. Uganda has given its reasons why it got involved in the Congo. These reasons not only were accepted by the belligerents in Congo, but the security concerns are actually contained in the Lusaka Agreement. Indeed, the Lusaka formula proposes to handle that specific problem. So, if the United Nations Panel of Experts is to contradict that position, to contradict what you, the Council, have accepted in various resolutions, surely it must present clear evidence that leaves no one in doubt about its truthfulness and credibility — not numerous accounts in Kampala.

If you go to Kampala, Mr. President, you will find a lot of street gossip about what is happening in the Congo and about what is happening in the Security Council today. But if a panel of experts is going to make recommendations that sanctions be imposed against a country of 23 million people, surely it must present evidence that is credible, that leaves no one in doubt that what they are saying is true.

The Panel of Experts has made statements in its report that the members of the Panel know to be false. They acknowledged maximum cooperation received from the Government of Uganda. They were received by the President, the Vice-President, the Prime Minister, the Minister for Foreign Affairs, the Minister of Defence, the Minister of Finance, the Minister of Transport, the Minister of Energy and Minerals, the Minister of Forestry and all sorts of other officials. Everyone they asked for they met. But regarding what they say in paragraph 11 and paragraph 89, that they asked for individuals and their request was turned down — they named this specific individual as Brigadier General Kazini — I would like to inform this Council that this is not true. First of all, they never asked for Kazini. I saw this for the first time in their report. Secondly, in fact, General Kazini met them, not once, but twice. Thirdly, when they met the military commander, General Odongo, he offered the Panel specifically that if they passed out questionnaires or asked for any officers in the Congo they wanted to interview, he was ready to make these officers available. Up to this moment, they have not made such a request. So to report that they requested these people — presumably they made these requests to the Government of Uganda and the Government of Uganda

turned them down — when they know this is false is totally unacceptable.

On 6 March this year, we communicated with the Chairperson of the Panel on the follow-up to the interim report, reconfirming our continued support for its work and inviting any questions, clarifications or additional data, as well as extending another welcome to the Panel to revisit Uganda before the finalization of the report. The Panel did not respond to this.

What we find most despicable is the attack by the Panel on the person of President Museveni. Let us look at paragraph 211. I will read out a sentence:

> "Presidents Kagame and Museveni are on the verge of becoming the godfathers of the illegal exploitation of natural resources and the continuation of the conflict in the Democratic Republic of the Congo."

Godfathers are Mafia. Godfathers are those who control criminal cartels, criminal syndicates. Therefore, to call President Museveni a godfather is a very, very serious matter. Or to call President Kagame a godfather is a very, very serious matter. There must be evidence for them to justify this label. What evidence is there in this report? None, absolutely none. The only time they mention the name of President Museveni is to say that he has a blood brother called General Saleh, who is said to have shares in a company that is dealing in business in the eastern Congo; that he has a son who has shares in a business suspected to be doing business in the eastern Congo; and that he has a sister-in-law who has shares in a company that is dealing in business in the Congo, all of which, of course, is, by that other definition, termed illegal.

But even if it were true that these relatives of the President were in fact engaged in that business, is it logical, is it normal to call the President, or anyone for that matter, names; to give him a label for the acts of relatives without showing any evidence that he was party to those actions?

The casual manner in which the name of the President has been handled is totally unacceptable to the people of Uganda. President Museveni is the head of State of a Member country of the United Nations. If you are to call him names, surely you must have evidence. They call him an accomplice to crime. Why? Paragraphs 201 to 206 say that some rebel in the Congo is alleged to have stolen money. The report was given to President Museveni and he did not act against that rebel; and therefore President Museveni qualifies as an accomplice to crime.

We find this despicable, we do not accept it and we do not know how you will handle this, Mr. President, because it is setting a very serious precedent. Even ordinary people's reputations are protected. Obviously, all these allegations against the name of the President are calculated to injure the reputation of President Museveni without cause. We demand an apology, we demand that they be withdrawn and we request that this Council look into this matter and take appropriate action.

When we meet with the Secretary-General, we know that this Panel, as a body of the United Nations, enjoys criminal and civil immunities, but our view is that the manner in which it has treated the name of President Museveni is an abuse of privilege.

Uganda therefore feels that the quality of the report is so low that its value and credibility are seriously diminished and undermined. That is why we support the extension of the mandate of the Panel, in the hope that a better job will be done. In this connection, Uganda would recommend that a new panel be put in place or that the current one be expanded, with a new chairperson, to inject some level of professional competence, impartiality and serious leadership into the investigation process. We believe that it is also important to achieve a level of balance in the new panel of experts in order to make sure that bias and prejudice are avoided

Uganda has also learned one lesson, an important lesson: it pays not to cooperate with this United Nations Panel of Experts. The Panel of Experts acknowledges, as the Chairperson did this morning, the maximum cooperation that Uganda rendered. This ranged from meeting the President himself, the Vice-President and others to giving the Panel all the data it requested. There was nothing that was not given. What reward do we get? Abuse of the President and recommendations of sanctions against the people of Uganda. What evidence is there that Uganda was institutionally involved in the illegal exploitation of resources? Some individuals, numbering approximately 10, were involved, yet this Panel recommends that the United Nations impose sanctions on 23 million Ugandans. Why not ask for the arrest of those individuals? On the other hand, countries that are

suspected of actually being illegally involved in the exploitation of natural resources in the Democratic Republic of the Congo have had their dubious interests legitimized, if this report does so. Who has said that a sovereign State cannot commit a crime?

Uganda believes that the cause of all this is war in the Congo. It is the absence of a stable, strong State in the Democratic Republic of the Congo. Therefore, we believe that the primary focus should be on creating peace in the Democratic Republic of the Congo. This can be only through the implementation of the Lusaka Agreement. In this context, we would expect the Security Council to handle this matter with the utmost care, because — and members have heard the language used this morning — this report and what has been said have seriously poisoned the atmosphere in the region and have the potential of being diversionary from the cause of pursuing peace through Lusaka. The exploitation of natural resources is not the cause, but the consequence of the war and the absence of a strong State.

Our view therefore is that the Security Council should remain determined to play a leadership role in the search for peace and stability in the Democratic Republic of the Congo. I have been much more pleased than I was the last time I visited this Council by its level of involvement. Everybody is happy that the peace process at long last appears to be moving towards disengagement. The Political Committee has adopted a schedule of withdrawal of foreign forces. National dialogue is on the move. Forces have moved. Uganda has moved seven battalions and will be moving another two within the next few days, and we are considering completely moving out. The Lusaka peace process provides a unique opportunity to address the security concerns of the Democratic Republic of the Congo and its neighbours and to create favourable conditions for an internal dialogue on a new democratic dispensation in the Democratic Republic of the Congo. The withdrawal of all foreign forces and the emergence of a strong and stable State are the only guarantee of an end to the illegal exploitation of natural resources in the Democratic Republic of the Congo.

The President: The next speaker on my list is the Minister of Finance of Burundi. I invite him to take a seat at the Council table and to make his statement.

Mr. Nihangaza (Burundi) (*spoke in French*): Allow me at the outset to perform the pleasant duty of congratulating you, Sir, and, through you, the Government of the United States on your assumption of the presidency of the Security Council for the month of May. We are convinced that your presidency will allow the work of the Council to progress on the path towards peace throughout the world, in particular in the Great Lakes region.

Let me also welcome the presence of the Secretary-General, Mr. Kofi Annan, and commend him for his commitment to peace and development in the world, in particular in the countries of the Great Lakes.

The Government of the Republic of Burundi has received the report in document S/2001/357, issued by the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. We wish to draw the Security Council's attention to the following points.

First, in its report, the Panel did not find sufficient evidence to indict Burundi. In view of the publicity in the media focused on the accusations levelled against Burundi, anyone might have expected to find a mass of very specific data in the report to substantiate those accusations. It will be noted from a reading of the report that Burundi is named from time to time, appearing in a perfectly ritual fashion on a list of countries to be targeted.

It is only in paragraph 105, on page 25 of the English version of the report, that we find three sentences that might be regarded as containing these so-called accusations against Burundi. This is the substance of the paragraph:

> "An IMF office memorandum indicates that 'Burundi does not produce gold, diamonds, columbo-tantalite, copper, cobalt, or basic metals'. Burundi however has been exporting minerals it does not produce. As in the case of Uganda and Rwanda, Burundi's export of diamonds dates from 1998, coinciding with the occupation of the eastern Democratic Republic of the Congo. The coltan exports span a longer period (1995-1999), perhaps suggesting that this might be a regular activity."

This is the only sort of accusation against Burundi contained in the report: a reference to an International Monetary Fund (IMF) document of which there is no trace; I have looked in Washington and hunted in my country, and this IMF document does not exist. In

short, paragraph 105 confirms that Burundi is not involved in plundering the wealth of the Democratic Republic of the Congo.

Secondly, paragraph 105 seems to suggest that there are no mineral ores in Burundi and that there is no trade with the Democratic Republic of the Congo. This is quite astounding. Trade between Burundi and the Democratic Republic of the Congo has always existed and includes a wide range of products. I would like to inform the Council that before the war approximately 40 per cent of Burundi's exports went to the Democratic Republic of the Congo, and the same is true today. As far as ores are concerned, the document presenting the position of the Burundi Government, which was submitted to the Security Council, provides statistics that attest to Burundi's exploitation of gold, cassiterite, coltan and tin.

It should also be noted that *comptoirs* for gold and diamonds existed long before independence, both in the eastern Democratic Republic of the Congo and in Bujumbura. They were run either by Congolese or Burundians, or by nationals of other countries.

Thirdly, the grave nature of the conclusions on Burundi contrasts with the lack of supporting data that one would expect to find in the body of the report. When we were in school, we were taught that the conclusion of a composition should reflect the substance of the body of the text. In the case of this report, five whole pages of serious conclusions and recommendations correspond to just three sentences in the body of the report. This disproportion undermines the credibility of the report as far as Burundi is concerned.

Fourthly, Burundi is still prepared to cooperate with the Panel of Experts. Despite the indiscriminate way in which Burundi is implicated, the Government of Burundi is still prepared to offer its full cooperation with the Panel of Experts. Indeed, it intends to carry out its own inquiry into the possible involvement of Burundians. We recommend that the experts revisit Burundi and interview people on both sides of the border. To this end, Burundi is glad that the Security Council has decided to extend the mandate of the Panel of Experts.

Burundi has always stated that the deployment of security arrangements on its border with the Democratic Republic of the Congo was dictated by security concerns and by the need to keep open the trading corridor via Lake Tanganyika. My country has no political or territorial ambitions vis-à-vis any neighbouring country.

In conclusion, the Government of Burundi refutes the serious accusations that have been levelled against it, and calls on the Security Council to take into account the anomalies identified in the report where Burundi is concerned.

Burundi takes the view that resolving security issues between the Democratic Republic of the Congo and its neighbours would end all of the problems and elements of tension associated with the state of "subregional conflict". The report of the Panel of Experts should not distract us from genuine security concerns. This is why Burundi once again states its readiness to pursue a dialogue with the Government of the Democratic Republic of the Congo and the other partners of the subregion in order to secure our common borders and find long-term responses to the underlying causes of the conflicts that are tearing that region of Africa apart.

In this context, the Government of Burundi notes with concern that the Burundian rebels and other negative forces based in the Democratic Republic of the Congo are shifting towards other rear bases in the subregion with a view to provoking total war in Burundi. The Government will shortly be making proposals to the Security Council that will be aimed at ensuring that the successful implementation of the Lusaka Agreement does not have the unfortunate result of causing the death-mongers to move into neighbouring Burundi and other adjacent countries — a situation that would imperil the Arusha Peace Agreement and that we hope the international community will not allow to develop.

The President: I thank the Minister of Finance of Burundi for his kind words addressed to me.

I shall now turn to members of the Council to speak. It was important to hear the statements from our guests this morning, particularly the Ministers. I would like to note that I still have a number of speakers on my list and the hour is growing late. I intend to suspend the meeting between 1 and 1.15 p.m. and to resume later in the afternoon, because we obviously will not finish now.

Mr. Mejdoub (Tunisia) (*spoke in French*): My delegation would like to express its appreciation to Ms.

Safiatou Ba-N'Daw and the other members of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo for the significant amount of work they have done pursuant to the mandate given to them by the Security Council. The report they have prepared is an extremely important document.

My delegation would also like to welcome the Ministers for Foreign Affairs of the Democratic Republic of the Congo and Uganda, the Special Envoy of the President of Rwanda and the Minister of Finance of Burundi. Their presence here today bears witness to the importance that those countries attach to this meeting and to this issue. Their contribution to our debate is essential in clarifying certain aspects of the matter under consideration so that we can objectively assess the situation.

Our meeting is taking place at a decisive moment in the implementation of the Lusaka Ceasefire Agreement and the relevant resolutions of the Security Council. This meeting is also being held just before the Council's mission to the region to evaluate progress made in the peace process. The Council's mission will take account, inter alia, of the links between the exploitation of the resources of the Democratic Republic of the Congo and the continuation of the fighting.

In its report, the Panel of Experts provides sombre information about the scope of the illegal exploitation of the natural resources of the Democratic Republic of the Congo and about the continuation of the conflict. It also identifies a correlation between the economic interests of certain outside actors and the continuation of the conflict.

We attach the greatest importance to ending the illegal exploitation of the natural resources of the Democratic Republic of the Congo and to putting an end to the war once and for all. It is a question of reasserting the sovereignty and territorial integrity of the Democratic Republic of the Congo and its sovereignty over its natural resources, as the Council has affirmed in its resolutions on the Democratic Republic of the Congo.

Unfortunately, as the Panel notes, it is the Congolese people that is suffering the consequences of the pillage of its resources and of the continuation of the war. The people of Congo, who desire a better future, are counting on the support of the international community to end the war and the pillage of its resources, and to restore peace, security and stability to the region.

The conclusions and recommendations of the Panel of Experts are of great importance and could have significant consequences for the Democratic Republic of the Congo, for the region and for the Security Council's efforts with respect to the situation in the region. They therefore merit our careful consideration and frank and constructive dialogue with the parties concerned.

We have heard the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo express his Government's satisfaction with the report and describe the expectations of the Congolese Government. We have also heard high-level representatives from Burundi, Rwanda and Uganda explain the views of their respective Governments. Indeed, the aim of today's meeting is to enable the States named in the report to provide the clarifications they deem appropriate or useful with respect to what is very serious information.

Today's meeting and the talks the Security Council mission will have in the region will enable more in-depth discussion of Council follow-up to this matter in the light of additional information from the Panel of Experts and of its assessment of the situation. In our view, the report should encourage the parties to genuinely implement Council resolutions and to take concrete steps to advance the peace process. In that context, we expect the withdrawal of foreign forces from the Democratic Republic of the Congo to be swift, complete and final. Any new initiative by the parties to that end would certainly be welcome.

While there has been progress in the implementation of the Lusaka Ceasefire Agreement and of Security Council resolutions, a heinous crime has disrupted that progress: last week's murder, at Bunia, Orientale Province of the Democratic Republic of the Congo, of six members of the staff of the International Committee of the Red Cross — four Congolese, one Colombian and one Swiss — who gave their lives in the cause of peace. Last Friday, the President of the Security Council, on behalf of the members of the Council, condemned that heinous and cowardly crime.

In the light of that grave event, we reaffirm the need for all parties to respect the principles of neutrality and impartiality in the provision of humanitarian assistance. We recall that it is the responsibility of all parties to ensure the safety and security of United Nations and associated personnel.

Mr. Krokhmal (Ukraine): I would like to start my statement by expressing our deep concern at and our condemnation of the cowardly murder of six staff members of the International Committee of the Red Cross in an ambush in Orientale Province on 26 April. My Government conveys its sincere condolences to the Governments of the Democratic Republic of the Congo, Colombia and Switzerland, and to the families that have been so sadly affected. We stress the urgent need to ensure that the safety and security of international relief workers and of United Nations peacekeeping and other personnel will be among the Council's priority tasks in the region.

Turning to the work of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, allow me to say that we are grateful to you, Mr. President, for arranging this meeting of the Security Council, which enables countries with a direct interest in this issue and countries accused of the illegal exploitation of natural resources of the Democratic Republic of the Congo to participate and to help shape the Council's action in this regard.

We are pleased to welcome the Foreign Minister of the Democratic Republic of the Congo, the Foreign Minister of Uganda, the Special Envoy of the President of Rwanda and the Minister for Finance of Burundi to this meeting; we have listened carefully to their remarks.

We also would like to thank the Chairperson of the Expert Panel, Ms. Safiatou Ba-N'Daw, for her very useful and informative briefing and for all the work that has been done by the Panel in fulfilling its mandate, assigned through the statement of the President of the Security Council dated 2 June 2000 (S/PRST/2000/20). Allow me to reiterate Ukraine's full support for that statement and for the other relevant Security Council decisions, the goal of which is to put an end to the illegal exploitation of natural resources of the Democratic Republic of the Congo, which fuels the conflict in that country.

We think that the nature of the Panel's report is in sharp contrast to that submitted to the Council in January, as it contains numerous recommendations, including coercive measures, which are the result of the Panel's review of the basic forms of illegal exploitation of natural resources of the Democratic Republic of the Congo and of the collection of extensive data on the structures engaged in such exploitation and their financial, commercial and transport activities.

It is of great concern to Ukraine that, according to the report, the illegal exploitation of natural resources of the country, in particular diamonds and other strategic minerals, is considerable. We call upon all Governments concerned to take immediate steps to end such activities and to ensure compliance by their individuals and corporations with legally acceptable standards of business.

It is of equal importance that they also provide full cooperation with the Panel in collecting information on all activities of illegal exploitation of natural resources of the Democratic Republic of the Congo as well as in identifying the links between such activity and the continuation of the conflict in that country. This matter should be a principal focus of the Security Council.

We believe that the Security Council should also pursue an approach that links efforts aimed at cessation of the illegal exploitation of natural resources and the achievement of the desired political objectives in the context of the process of the implementation of the Lusaka Ceasefire Agreement.

In assessing the overall situation, my delegation believes that it would be responsible on the part of the Security Council to extend the mandate of the Panel of Experts for a final period of three months and to let the Panel complete its action plan.

My delegation feels that the Security Council should be given an opportunity to consider the whole situation in question before it decides on the proposed recommendations in this regard. We look forward to receiving the Panel's final report.

Finally, I would like to express my delegation's full support for the statement that you, Mr. President, will make at the end of this meeting. We are hopeful that it will build on the international community's

efforts to restore the peace and normality that the Democratic Republic of the Congo so sorely needs.

Mr. Ryan (Ireland): May I also welcome the Foreign Minister of the Democratic Republic of the Congo, Mr. Léonard She Okitundu, the Personal Envoy of the President of Rwanda, Mr. Patrick Mazimpaka, the Minister of State for Foreign Affairs of Uganda, Mr. Amama Mbabazi, and the Minister of Finance of Burundi, Mr. Charles Nihangaza, and thank them for their participation in this discussion.

May I also convey, on behalf of the Government and the people of Ireland, our sympathy and condolences to the Governments and the peoples of Colombia, the Democratic Republic of the Congo and Switzerland, and to the families of the murdered representatives of the International Committee of the Red Cross.

The report of the Panel of Experts is being reviewed carefully by the Irish authorities. We support an extension of the mandate of the Panel to allow it to continue its work, and we look forward to receiving a comprehensive addendum to this report. We hope, in particular, that this will provide the international community with a fuller picture of the complexity and the extent to which the exploitation of resources in the Democratic Republic of the Congo contributes to sustaining the conflict in the region. This would deepen the understanding of the international community of the range of issues which feed the conflict in the Democratic Republic of the Congo and assist our efforts to support the parties in advancing the peace process.

Sweden, as Presidency of the European Union, will be making a statement later in today's debate. Ireland subscribes fully to the position of the European Union. I make the following points in my national capacity.

The remit of the Panel was broad, focusing on illegal exploitation and the link between exploitation and the continuation of the conflict. The report of the Panel of Experts makes some very serious allegations against all parties to the conflict. Today's meeting has given those countries against which allegations are made an opportunity to respond.

We have heard the concerns of some parties named in the report that the information is unsubstantiated or incorrect. Nonetheless, the allegations are of a sufficiently serious nature to merit thorough investigation by the relevant national authorities. The Irish Government expects the parties concerned to carry out such investigations and to extend every cooperation to the Panel of Experts in its future work. No effort must be spared by the relevant authorities to ensure that activities which undermine the peace process in the Democratic Republic of the Congo are halted and that the Congolese people can finally be allowed to benefit directly from the natural wealth of their own country.

In this regard, I welcome Minister Mbabazi's announcement of his Government's decision to establish an independent judicial commission of inquiry which will work openly and transparently to investigate the allegations relating to Uganda. I also welcome Minister Nihangaza's declaration of his Government's decision to investigate allegations and to cooperate with the Panel during its extended mandate.

At the same time, the concerns expressed by some parties named in the report cannot be dismissed out of hand. An extension of the mandate of the Panel will allow it, over the coming months, to pursue further, in a thorough manner, issues which it did not have the opportunity to address in depth in the final report. It will also facilitate further discussion with parties that have expressed concern with the final report. We strongly encourage all parties to engage in further full and frank dialogue with the Panel as it updates its report and assesses progress. We remind those parties that have not extended full cooperation to the Panel of their obligation to do so. Failure to do so would seriously undermine their international standing.

This report is but one element in the wider efforts of the international community to end the conflict in the Democratic Republic of the Congo. As the Panel proceeds with its work over the coming months, we will be looking at the impact of such activities in the context of the peace process and how the work of the Panel can support that process. In particular, we will look to progress from the parties on the three core issues set out in the Lusaka Agreement. The first is the preparation and adoption of a precise plan and schedule which, in accordance with the Lusaka Ceasefire Agreement, would lead to the completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo. The second is the preparation for immediate implementation of prioritized plans for the disarmament, demobilization,

reintegration, repatriation or resettlement of armed groups. The third is progress in the inter-Congolese dialogue.

The Security Council mission to the region later this month will provide the Council with an opportunity to engage with the parties on the wider dimension of the conflict in the Democratic Republic of the Congo, focusing in particular on the three core elements of the Lusaka Ceasefire Agreement. We urge the parties to maximize the potential of that visit for concrete progress and to use the occasion of the visit to engage closely with the members of the Council on the core obstacles to peace in the region.

Mr. Levitte (France) (*spoke in French*): I thank you, Mr. President, for organizing this meeting on a subject of particular importance. France's best wishes go out to the United States presidency of our Council this month.

I would like to thank the Secretary-General for his lengthy presence among us this morning. I would also like to welcome very warmly the Ministers of the Democratic Republic of the Congo, Uganda, Rwanda and Burundi, who are also present in the Chamber.

As my colleague from Ireland has said, the Ambassador of Sweden will in a short while set out the views of all the countries of the European Union. As my colleague has done, I too would like to add some comments in my national capacity as representative of France.

The information contained in the Panel's report is not, in fact, entirely new. Numerous elements had already surfaced in the press, and non-governmental organizations had also attested to the situation in various ways. But this is the first time that an overall picture of the looting of the resources of the Democratic Republic of the Congo has been provided to us. That picture is extremely disquieting.

I would like to commend the work done by Ms. Ba-N'Daw and the other experts. The report of the Panel is courageous and well documented. It should be stated clearly that we know that the safety of the experts was at times under threat. This is a matter of concern for the whole Council.

With regard to methodology, the Panel strictly followed the mandate given to it by the Security Council. This explains the large number of States investigated pursuant to the broad interpretation given to the concept of illegality.

One conclusion must be drawn. Not only does the looting of resources feed the conflict; today we may even ask ourselves whether looting has itself become a motive for the continuation of the conflict. The Security Council must henceforth take into account this facet of the deadliest conflict currently besetting the African continent. All of us recall the figures put forward by New York's International Rescue Committee: 2.5 million deaths since 1998, 200,000 of which were directly related to combat. These figures are appalling. They demand action and mobilization on the part of our Council and of all the parties.

The Council's responsibility is to work with all of the parties concerned to help end the looting, and this report will help us do so. By a unanimous decision of the Council, we will be extending the Panel's mandate for a three-month period. Over the next three months the Panel will keep us informed. It will further expand its knowledge of this very important issue, and, in three months' time, it will present to us a fresh appraisal of the situation.

In the Panel's work and in the mobilization of the international community, it will be important to ensure that, beyond the United Nations, the multilateral institutions concerned and the countries involved all participate fully in this endeavour. We would like the Council to work in a spirit of dialogue with all of those involved.

From this standpoint, I should like to welcome not only the presence of the Ministers around this table but also the statements that they have made. We must listen attentively to one another. We welcome their spirit of cooperation, and, in the same vein as my colleague from Ireland, we would also like to welcome the announcement by Minister Mbabazi of the creation in Uganda of an independent commission of inquiry. I welcome also the statement made by the Minister of Finance of Burundi.

All of the countries involved must demonstrate this same spirit of dialogue. For our part, we are listening attentively and objectively to them. At the end of the three months, when we have the additional report, we will consider in this Chamber possible further measures, which may be necessary if the progress that we hope to see towards ending the looting

of the Democratic Republic of the Congo has not been achieved.

All of the States involved must demonstrate a spirit of dialogue. Some of them have chosen not to state their position today, and I appeal to those not present in the Chamber and which have been implicated to demonstrate the spirit of cooperation shown by the Ministers who are here today.

Above and beyond this report, I think that we should all keep in mind the key objective that the Security Council wishes to achieve in the Great Lakes region. Our goal is to put an end to the conflict. Our goal is the restoration of peace — peace with security for all. Ultimately, our objective is a return to economic development. All of this requires the implementation of the Lusaka Agreement.

The United Nations is resolved to lend its fullest support to that goal, but, of course, it is the actions of the parties themselves that will make it possible to advance in that direction.

Sir Jeremy Greenstock (United Kingdom): We warmly welcome you to the presidency, Sir, and I thank you for your kind words earlier in this debate.

It is very good to see the Ministers of the Democratic Republic of the Congo, Uganda, Rwanda and Burundi here with us today. It has been extremely important for us to listen to their statements and to engage in a very necessary debate.

Like my two predecessors in this discussion, I point to and fully support the statement which Sweden will make on behalf of the European Union later on today, but I want to make one or two remarks in my national capacity.

The United Kingdom takes very careful note of the work done so far by the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo. We thank the members of the Panel for their diligence and their courage.

The report of the Panel addresses an issue of considerable concern: the way the natural resources of the Democratic Republic of the Congo are being used to fuel the conflict there. There is more work to be done to shed light on this problem, and we therefore support the extension of the Panel's mandate.

In the presidential statement which the Council will adopt later today, we set out guidelines for the continued work of the Panel. Among other things, the extended mandate will allow the Panel to pursue further information which was not previously available and to follow up responses to the Panel's report, including the extremely important ones today. We believe that an addendum to the Panel's work will provide an opportunity to produce a fully balanced analysis and to record, as far as possible, corroborated evidence relating to all parties to the conflict.

This is a key element, because one of the most important things the work of the Panel has done is to bring this problem, of which we had all heard reports, closer to the surface. We now need a serious and frank dialogue with all concerned, but especially with the parties to the conflict. Today's debate is a start, and, given the vigorous contributions we have heard so far, the debate is, of course, going to continue.

We and all the parties agree that illegitimate exploitation has to end. That is a vitally important basis of agreement. But there is also, of course, some disagreement on the precise facts of what was and is illegitimate exploitation. That is inevitable, given the circumstances in the Democratic Republic of the Congo and the scope of the problem. We must engage with each other and try to achieve greater clarity, but we also need to focus on the primary goal here, which is not to punish or narrowly to assign blame, but to tackle the problem in the interests of promoting the wider peace process and alleviating the suffering of the Congolese people. It is their resources which have been unscrupulously exploited for the benefit of others.

We do not regard resources as being the cause of the conflict in the Democratic Republic of the Congo, nor would addressing this problem alone solve that conflict. But the natural resources of that country have become part of what fuels the conflict, so all of the parties must recommit themselves to work across the board to bring an end to the conflict. In that context, the Panel might usefully focus, in the next three months of work, on better long-term sectoral strategies, concentrating on specific materials, for instance, gold, diamonds and coltan.

It is vital for the future peace, stability and development of the Democratic Republic of the Congo that its natural resources should work for the benefit of its people. In addressing the abuses, we must also be

prepared to help the Government and the people of the Democratic Republic of the Congo to build effective and transparent structures for legitimate exploitation and trade in resources, including with its neighbours. We therefore look to the Panel to establish a comprehensive approach to the long-term aspects of the problem which could help determine the success or failure of the future of our efforts to bring peace and stability to the Democratic Republic of the Congo and to the region.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): I should like first of all to congratulate you, Sir, on your assumption of the presidency; I am confident that you will discharge your duties in the most effective way possible. We would also like to join others in welcoming the representatives of the Democratic Republic of the Congo, Rwanda, Uganda and Burundi who are participating in today's meeting of the Security Council. We have listened very carefully to the important statements they have made.

The Russian Federation is grateful to the Panel of Experts, chaired by Ms. Safiatou Ba-N'Daw, for the substantive report that it has provided on the illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo. We are disturbed by the information that it contains about the large-scale looting of resources, in violation of the sovereignty and territorial integrity of the Democratic Republic of the Congo. However, we do not believe that the report should prompt the over-hasty adoption of measures on the basis of an emotional response; rather, it should provide food for thought, as it contains information that we must study calmly and carefully. Accordingly, we support a three-month extension of the mandate of the Panel of Experts so that, at the end of that period, it can submit an addition to the current report, including commentaries by States named in the report. We call on all the States mentioned in the report to cooperate with the experts in their work and to clarify carefully the situation with regard to the natural resources and other forms of wealth of the Democratic Republic of the Congo.

Illegal activities, by whomsoever committed, must be brought to an end, and the sooner the better. Russia believes that, in the final analysis, it is the armed conflict that underlies the problem of the illegal exploitation of the resources and other forms of wealth of the Democratic Republic of the Congo, just as it underlies the problems of refugees, internally displaced persons and child soldiers, human rights violations, humanitarian crises and many other problems. Only recently has there been some movement towards a settlement of that conflict. We believe that movement towards a political settlement in the Democratic Republic of the Congo must be a priority for the Security Council. That is how we see the Council's discharge of its responsibilities under the Charter for the maintenance of international peace and security.

Mr. Ouane (Mali) (*spoke in French*): I should like first of all to thank you, Mr. President, for having convened this public meeting to consider the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo.

I note the presence at this important meeting of the Minister for Foreign Affairs of the Democratic Republic of the Congo, the Minister of State for Foreign Affairs and Regional Cooperation of Uganda, the Special Envoy of the President of the Rwandese Republic and the Minister of Finance of Burundi. I should also like to express my delegation's gratitude to Ms. Safiatou Ba-N'Daw, Chairperson of the Panel of Experts, and, through her, to all the members of the Panel for the important work that they have carried out.

The report before us deals with a matter of concern to this Council: the link between the illegal exploitation of a country's natural resources and the continuation of the conflict that is affecting it. In this regard, I should like first of all to restate Mali's position of principle, which resolutely rejects any illegal exploitation of the natural resources and other forms of wealth of a sovereign and independent State.

In this regard, my delegation believes that the Security Council should thoroughly examine the information and recommendations contained in the report with a view to putting an end to the plundering of the natural resources and other forms of wealth of the Democratic Republic of the Congo. Such plundering is fuelling the continuation of the conflict, causing unspeakable suffering to the Congolese people and destabilizing the whole region.

The message of this report is clear: measures must be taken to end the plundering of the natural

resources and other forms of wealth of the Democratic Republic of the Congo. From this standpoint, the international community and the Security Council must take steps to promote the peace process, which has recently taken a positive turn with the launching of phase II of the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). As the Secretary-General emphasized in his seventh report (S/2001/373) on MONUC, everything must now be done to promote the successful transition to phase III.

In this context, we believe that the discussions begun today should be continued, in particular during t the Security Council's mission to the Great Lakes region. It is essential to maintain the impetus of the Lusaka process, while respecting the territorial integrity and sovereignty of the Democratic Republic of the Congo as well as that of other countries in the region, thus contributing to the return of lasting peace and stability in the Great Lakes region.

Mali looks forward with interest to the final report of the Panel of Experts; we will then state our views on the recommendations contained therein. That is why we support the request for an extension for a further three months of the mandate of the Panel of Experts.

In conclusion, I should like to join in condemning the murder, in the Bunia area, of six staff members of the International Committee of the Red Cross and to express our condolences to their families.

The President: If there is no objection, I propose to suspend the meeting for a lunch break.

The meeting was suspended at 1.10 p.m.

United Nations S/PV.4317 (Resumption 1)

Security Council

Fifty-sixth year

Provisional

4317th meeting

Thursday, 3 May 2001, 3 p.m.
New York

President:	Mr. Cunningham	(United States of America)
Members:	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Ouane
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-35889 (E)

The meeting was resumed at 3.10 p.m.

The President: I should like to inform the Council that I have received a letter from the representative of Zimbabwe in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jokohya (Zimbabwe) took the seat reserved for him at the side of the Council Chamber.

The President: Before continuing with the list of speakers, I thought I would indicate that if any of the visiting Ministers wishes to take the floor again to comment on what has been said during the Council discussion after Council members have spoken, we would wish to give him that opportunity, and I would ask his delegation to inform the Secretariat so that I would know to give him the floor when the Council members have finished speaking.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation welcomes the Minister for Foreign Affairs of the Democratic Republic of the Congo, the Minister of State for Foreign Affairs of Uganda, the Special Envoy of the President of Rwanda and the Minister of Finance of Burundi. We welcome their presence at this open meeting of the Security Council.

The Chinese delegation appreciates the efforts undertaken by the Panel of Experts and Ms. Ba-N'Daw in submitting the final report on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. We support the President of the Council in convening this meeting to listen to the views of the parties concerned. This will help put an end to the looting and illegal exploitation of the natural resources of the Democratic Republic of the Congo.

Judging from the relevant information provided by the Panel report, the illegal exploitation and looting of the natural resources of the Democratic Republic of the Congo have become rampant and are closely linked to the continuation of the conflict. On this question, like other countries, we believe that the Security Council should take appropriate measures to put an end to this looting and illegal exploitation and should pave the way for the proper resolution of the conflict. Therefore, we endorse the extension of the mandate of the Panel for an appropriate period of time.

From what we have heard today at this meeting, we understand that the report of the Panel has had various strong repercussions. While fully affirming the efforts of the Panel, we also believe that the report has room for improvement. In some of the information provided in the report, there is no clear distinction between cases with conclusive evidence and those with evidence that is either inadequate or merely hearsay. We hope that, in the next phase of its work, the Panel of Experts will apply stricter standards. It should, in particular, focus its work on the looting and illegal exploitation of the resources of the Democratic Republic of the Congo, address the principal questions of significance and base its conclusions on hard evidence.

For the sake of its domestic development and an expeditious resolution of the conflict, the Democratic Republic of the Congo, as a sovereign State, must exploit its own natural resources. To link all exploitation of the natural resources of the Democratic Republic of the Congo with the continuation of the conflict would contradict the facts and be inimical to solving the problem of illegal exploitation. The conflict in the Democratic Republic of the Congo is an intricate and complicated one, involving such issues as the withdrawal of foreign troops, the internal political dialogue, the disarmament of armed groups, national reconciliation and the security concerns of the Democratic Republic of the Congo and its neighbours. To a great extent, these issues are interconnected and affect one another.

The international community, especially the countries of the Great Lakes region, must work together. The signatories to the Lusaka Agreement need to implement it in earnest and expeditiously translate into action the commitments made under it. In order to solve the conflict in the Democratic Republic of the Congo, it will be necessary in the long run to achieve reconciliation among all nationalities and all political forces within the country.

With respect to the external environment, all countries in the Great Lakes region must enjoy peace and stability on the basis of such norms of international relations as mutual respect for state sovereign, territorial integrity and non-interference in internal affairs; they must also coexist peacefully and develop normal inter-State relationships. We have noted that the situation in the Great Lakes region has recently undergone some positive changes. The countries of the region have had increasing contact and have made positive efforts to improve inter-State relations. We hope that the parties to the conflict will treasure the hard-won momentum towards peace, take positive measures in a proactive and determined way and with statesmanlike vision and courage, and make effective efforts to end the conflict as soon as possible and to establish a peaceful and friendly environment conducive to the continued existence and development of the Great Lakes region.

The Democratic Republic of the Congo has long been mired in an intractable conflict. The country and its people have experienced formidable hardships and are faced with daunting challenges to put an end to the conflict and achieve peace. Their post-conflict tasks rapidly to eradicate poverty, achieve national reconciliation and consolidate peace will be most arduous. We appeal to the international community to resort to all possible ways and means to support and assist the Democratic Republic of the Congo.

The Chinese Government and people will, as always, work with the international community and continue to make tireless efforts in this regard.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): My delegation congratulates you, Sir, on your wisdom in including this debate among the first actions on the Council's programme of work for this month. The subject of the illegal exploitation of the natural resources of the Democratic Republic of the Congo is clearly related to the establishment of an environment of peace and security in the Great Lakes region.

We wish to express our pleasure at the presence of the Ministers of Burundi, the Democratic Republic of the Congo and Uganda; the envoy of the President of Rwanda; and the members of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, which prepared the report. We have listened with attention and interest to the statements made by the representatives of those countries, which will allow this Council and my own country's authorities to gain a clearer picture of the facts relating to the disturbing situation described in the report.

The exploitation of the natural resources of the Congo is the subject of our deliberations today because of its close connection to the persistence of the conflict that continues to drain the lifeblood from that country. According to recent figures, and as has also been mentioned at this meeting, that conflict has directly or indirectly claimed over 2.5 million victims since 1998. 200,000 deaths have been caused directly by the fighting, while the rest have been the result of famine and diseases that have afflicted the population in the inhospitable places to which they have had to flee in escaping the violence.

In such circumstances, tragic events occur, such as last week's attack against the workers of the International Committee of the Red Cross, to which a number of speakers have referred. We offer our condolences to the Congolese and other families that have lost loved ones and we wish to offer thanks for the expressions of sorrow and solidarity with us over the loss of our compatriot in that incident.

My delegation believes that, in principle, the exploitation of the mineral, timber or agricultural resources of a country — apart from the issue of its legality or illegality — must be condemned by the international community if it contributes to creating a tragedy of such proportions. It is unacceptable that millions of persons must live in fear and poverty in the midst of their own country's natural wealth.

The report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo also warrants the following comments.

First, we believe that the Secretary-General followed the criteria laid down by the Council to select the Panel of Experts, presided over by Ms. Ba-N'Daw. We favour an extension of its mandate for three months and we await with interest its final report.

Secondly, we have found the information and data provided in the report on the persons, armed groups and countries that exploit and market the resources of the Congo in order to finance the conflict to be staggering. Without commenting on the evidence presented, which is under study, analysis and

evaluation by our Government and our mission, we believe that the Governments and groups mentioned should proceed independently to investigate these data and convey the results of their investigations to the Panel of Experts during the following months of its mandate.

Thirdly, we recognize that, for a long time now and because of its geographical location, the eastern part of the Congo has strong economic links to the neighbouring countries. That is why it came as no surprise to us that there is an active import-export trade there. It is appropriate nonetheless to preserve the mutual benefits of that trade with a view to the future reconstruction of the economy of the Great Lakes region. Any peace conference for that region should take that aspect into account.

Fourthly and finally, we have taken note of the sanctions proposed by the authors of the report. Sanctions are indeed a legitimate mechanism whereby the Security Council can effect changes in the conduct of the armed participants in conflict situations. Nevertheless, before considering the use of this mechanism, we have always advocated a respectful dialogue conducive to cooperation with the international community, such as the one we are holding today. We would hope that this will hold true in the current instance.

I wish to conclude by stating our conviction that any action by the Council on the item before us today should be part of a vigorous effort to achieve a lasting peace in the Democratic Republic of the Congo — a peace that respects the sovereignty and territorial integrity of the countries of the Great Lakes region, and that also takes into account their legitimate security interests.

It is in this spirit that my delegation has expressed its wish to take part in the next mission of the Security Council to that region of Africa.

Mr. Kolby (Norway): The Government of Norway welcomes this open debate on the important topic of examining the link between the exploitation of natural resources in the Democratic Republic of the Congo and the continuation of the tragic conflict in the Great Lakes region. We welcome the participation here today of the Ministers of the Democratic Republic of the Congo, Rwanda, Uganda and Burundi as a sign of their commitment to the issue and to a peaceful solution to the conflict.

We thank the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo for its report. The report provides extensive information on the complexity of the conflict and significant food for thought for our further deliberations. Before commenting on the Panel's report, I would, however, like to make some general remarks.

Norway notes with concern the terrible toll the conflict is having on the people, economy and environment of the Democratic Republic of the Congo, and we remain strongly concerned about the lack of governance and continued violence, particularly in its eastern regions. The Government of Norway strongly condemns the recent murders of International Committee of the Red Cross personnel in Orientale Province and underlines the need to hold the guilty accountable for this hideous crime. Norway calls on the parties to ensure the safety of all international personnel working to assist the region in its quest for peace, security and development.

Furthermore, Norway continues to believe that the Lusaka Ceasefire Agreement remains the path to a peaceful and lasting solution to the conflict in the Democratic Republic of the Congo and the Great Lakes region. We certainly hope that the countries and the various rebel groups involved in the conflict do not forget this fundamental premise. We continue to urge the parties to explore thoroughly all political avenues that might be available for finding a peaceful solution. In our view the parties to the conflict have taken significant steps since the adoption of Security Council resolution 1341 (2001) in February of this year. The parties have begun the disengagement process, and the deployment of observers and liaison officers of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) is proceeding. However, other key aspects of the peace process, notably demobilization, disarmament, rehabilitation and reintegration of the negative forces operating in the region and a constructive inter-Congolese dialogue leading to effective governance of the Democratic Republic of the Congo, remain indispensable. We look forward to further signs of political will and common pursuit among the parties to achieve real progress in these regards.

The efforts to re-establish peaceful relations in the Great Lakes region must take due account of economic agendas in conflict. The Panel report

indicates that considerable illegal exploitation of the natural resources of the Democratic Republic of the Congo is taking place. We find this deplorable and appeal to all parties to cease without delay all exploitation activities that fuel the conflict in the Democratic Republic of the Congo. In this regard, we would like to make some remarks regarding cooperation with the Panel of Experts. In both reports — the interim report of 16 January and the report of 12 April — the Panel complains about the lack of cooperation from certain countries, individuals and private companies. We regret that the Panel has faced "a problem of imbalance in the acquisition of data" (*S/2001/357, para. 11*) and that "This constraint can be felt in the report." (*ibid.*) We would like to urge all parties to cooperate fully and to provide the Panel of Experts with relevant data as soon as possible. We will always need to ask ourselves what may have been omitted in a report like this. Information has come to our attention indicating that some private companies involved in this exploitation business are not mentioned in the report. We would like to ask the Panel of Experts to look into this matter.

Several members of the Security Council have asked the Chairperson of the Panel of Experts to provide the Council with a more assertive presentation of the findings, separating hard facts from more loosely based information. It is very difficult for the members of the Council to distinguish between information and accusations that are based on primary data that can link the accused parties to illegal exploitation with some certainty, and the parts of the report that are based on information obtained in interviews. If possible, the next presentation should contain corroborative evidence against those involved.

We agree with the assumption behind the mandate of the Panel of Experts that the parties to the conflict are motivated by the desire to control and profit from the natural resources. Moreover, we take note of the indications that the parties finance their armies and military operations by exploiting these resources. This is reflected in the initial conclusions and recommendations of the Panel. My delegation supports an extension of the mandate of the Panel of Experts by three months in order for the Panel to complete its work. Further confirmation by the Panel — beyond reasonable doubt — that countries in the region and other actors continue to be involved in exploitation activities fuelling the conflict in the Democratic Republic of the Congo will be perceived as a very serious matter by this Council.

In conclusion, we urge the parties to the Lusaka Ceasefire Agreement to maintain the momentum that has been created over recent months and look forward to the further dialogue on the next steps to take place after the Security Council's mission to the area. We believe that the full commitment by all involved parties to peaceful negotiations will remain indispensable in the search for a lasting solution to the conflict.

Mr. Chowdhury (Bangladesh): Bangladesh gives warm greetings to you, Mr. President, on your assumption of the presidency of the Council. We are confident that under your leadership and the United States leadership, we will have an effective presidency.

We meet here against the backdrop of the horrendous murder in Bunia of six humanitarian personnel of the International Committee of the Red Cross. There can be no excuse for such heinous acts. My delegation conveys our sincere condolences to the bereaved families. We demand a prompt inquiry into the incident so that those responsible are brought to justice without delay.

We have great pleasure in welcoming the Ministers of the Democratic Republic of the Congo, Uganda and Burundi, and the Special Envoy of Rwanda, who are with us today to discuss an issue of serious significance for peace in the Democratic Republic of the Congo.

Ms. Safiatou Ba-N'Daw, Chairperson of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, and her colleagues on the Panel — Mr. François Ekoko, Mr. Mel Holt, Mr. Henri Maire and Mr. Moustapha Tall — deserve our appreciation for their courage and commitment in pursuing the mandate given to them by the Council. Their comprehensive report and their findings and recommendations assume critical importance, particularly in view of the current forward movement in the peace process in the Democratic Republic of the Congo.

We shall limit our observations to five issues. The first is the findings and conclusions of the Panel. The Panel has concluded that the plundering of the resources of the Democratic Republic of the Congo continues and that there is a clear linkage between

illegal exploitation and the continuation of the war. If the conclusion is established beyond doubt, all concerned will have to assume due responsibility and take measures to break the nexus between the illegal exploitation of the resources of the Democratic Republic of the Congo and the continuation of the war.

The findings of the Panel in its present report should be examined, taking the views of concerned countries and other relevant parties fully into account. There are questions about the methodology used, about the quality of evidence and about the nature of the conclusions. In fact, the main purpose of today's meeting is to hear the various views. The Panel will do well if it can substantiate its conclusions against disclaimers offered.

The findings and conclusions of such expert panels have serious implications for the objectives pursued by the Security Council. We stress that reports of panels of experts issued in the name of the United Nations should meet evidentiary standards and other relevant norms. A panel should, at the same time, be able to investigate and to submit its findings with absolute independence and objectivity.

The second issue is the definition of illegality. We have noted the Panel's definition of illegal exploitation. It has been stated that the definition does not seem to conform to the provisions of the Lusaka Agreement. There are questions on the legality or illegality of exploitation of resources in areas under rebel control. The question is relevant, as some of the rebel movements are signatories of the Lusaka Agreement.

The third issue relates to an immediate response by the Council, concerned parties and Member States to the findings and recommendations. As an interim response, the Council should call for immediate cessation of the illegal exploitation of the mineral and other resources of the Democratic Republic of the Congo. The Panel recommends a number of steps that, we believe, Member States can take unilaterally at this stage. They include steps with regard to the import, export and transportation of certain minerals and financial transactions that have been put into question. Countries involved may also consider declaring an immediate moratorium on the supply of weapons and all military matériel to rebel groups operating in the Democratic Republic of the Congo.

A unique area of concern is conflict timber. The world is aware of conflict diamonds and other high value commodities. It is a revelation to us that plundering extends to such mass-volume products as timber and non-timber forest products. We support the Panel's recommendation that concerned countries should, as per international practice, declare to the United Nations Forum on Forests the origins of the timber that is being shipped from their seaports, as well as the certification documents of such timber. Timber and non-timber forest products coming from warring areas should be declared as "conflict timber and non-timber forest products". Similar positive steps may also be considered by the countries on the demand side.

The Council's demand for such interim measures should extend to all actors involved in illegal activities: Governments, armed forces, individuals and public or private enterprises engaged directly or indirectly in the extraction, transport, import and export of resources of the Democratic Republic of the Congo.

The fourth issue relates to further action by the Council. Any specific measures by the Council should follow consideration of the addendum to the report that the Panel will be requested to submit before the expiry of its extended mandate. The Panel will be expected to respond to the comments of those cited in the report, update its data and complete unfinished tasks in the remaining areas of investigation. Council action in terms of appropriate measures can follow only after conclusive evidence is available and after parties responsible for the illegal activities fail to take corrective measures or to comply with the Council's demands.

Finally, we would like to underline that the Democratic Republic of the Congo should have full sovereignty over its national resources; exploitation, illegal or otherwise, by outside actors should not contribute to sustaining the war.

The Council's purpose in pursuing the matter is to facilitate the peace process; it should take all appropriate measures to that end.

Mr. Mahbubani (Singapore): We would like to join our colleagues in welcoming the ministers from the Democratic Republic of the Congo, Burundi and Uganda and the high-level envoy from Rwanda. I think that this high-level participation reaffirms the importance of the debate we are having today.

We share the shock and horror that has been expressed by many of our colleagues over the killing of

personnel of the International Committee of the Red Cross (ICRC); we hope that effective measures will be taken to resolve this state of affairs.

The advantage of speaking late in the day is that many of the points that we would have liked to make have already been made by our colleagues, including most recently by Ambassador Chowdhury, who said that we all have to reaffirm the territorial integrity and sovereignty of the Democratic Republic of the Congo, and that the looting and pillaging of resources are unacceptable. Thus, at this stage we have only two additional points to add to the discussion.

The first point we want to make is that the Panel of Experts, in delivering its report (S/2001/357) to us, has basically delivered what may be called a hot potato. It is a hot potato because it has created a dilemma for the Council, and the dilemma is this: if the contents of the report and the findings of the Panel are correct — and I stress the word "if" because we, as a national delegation, do not have the capacity to verify, confirm or deny the findings of the report — then the Council has an obligation to take action in response to the points made in the report. If they are not correct, then we have an obligation, as an institution, to clear the record and ensure that no false or misleading impressions are left behind.

Frankly, we are not sure what institutional strength we might have, as the Council, to verify the claims made in the report; but such verification we have to do. Clearly, before we make any decisions in the Council, we have to be sure that they are based on sound facts and due diligence. I am glad that this is a point that has been echoed in several of the speeches that have been made in response to the Panel's findings.

In some ways, we have bought ourselves some time. In giving the Panel a three-month extension, we hope that the Panel will make every effort to respond to all the points raised today — and I am glad that members of the Panel have been here listening to the statements made both by members of the Council and by the high-level envoys who are here — so that when the Panel comes back to us in three months' time we will, we hope, be in a better position to respond adequately and effectively to the many strong claims found in the Panel's report.

The second point we want to make here is that, in looking at the whole issue, we should be aware that in some ways the issue of natural resources exploitation is only one of the dimensions of the conflict we are addressing. It may be useful to refer to a quote from a recent book by a writer named Michael T. Klare, who has just published a book entitled *Resource Wars: The New Landscape of Global Conflict*.

> "Particularly vulnerable are once-colonized areas where the occupying power destroyed local institutions, plundered the countryside of its human and material resources, and departed without laying the groundwork for effective, self-financing national governments ... once a rebellion has erupted, the fighting often evolves into resource conflict."

In the case of the Democratic Republic of the Congo, that legacy of exploitation began more than 100 years ago, when King Leopold II of Belgium colonized the region as his personal fiefdom and began the systematic exploitation of its natural wealth. More recently, the aftermath of the Rwanda genocide in 1994 and the rebellions in 1996 and 1998 have further complicated the situation and transformed economic activities and trade networks in the region.

Clearly, we have to address deep-rooted problems when trying to analyse the situation here. It is doubtful that we can do so very clearly in such an open setting. But we are pleased to note that the retreat we will have this weekend with the Secretary-General will touch on the issues of the Democratic Republic of the Congo. I hope that in that debate we will address openly some of the more difficult issues, which cannot be addressed in such an open session as this.

Finally, let me just state for the record that we support the presidential statement to be issued at the end of the day.

Miss Durrant (Jamaica): My delegation wishes to commend you, Mr. President, for convening this open meeting on the issue of the situation in the Democratic Republic of the Congo, as this provides an opportunity for us to address in a transparent manner the issue of the illegal exploitation of the natural resources of the Democratic Republic of the Congo and its linkage with the continuation of the conflict in that country and the implications for the Great Lakes region as a whole.

My delegation wishes to thank Mme Ba-N'Daw for the presentation of the report of the Panel of Experts appointed by the Secretary-General at the

request of the Council. We recognize only too well, from the report as well as from Mme Ba-N'Daw's presentation, that the task has been an arduous one.

My delegation joins others in welcoming to the Council the Ministers from the Democratic Republic of the Congo, Burundi, Rwanda and Uganda. We have taken careful note of their statements, because my delegation believes that it is important for those who have a direct interest in the report to be listened to by the Council before any action is taken.

My delegation has noted that the report contains disturbing allegations about the illegal exploitation of the natural resources of the Democratic Republic of the Congo. Those allegations regard financial and economic matters, the diamond business, forests and timber. We have noted that they are extremely serious in nature and must be studied along with the comments we heard this morning from the representatives of the Governments concerned. In that regard, we welcome the determination expressed by several of the Ministers who spoke that investigations will be carried out and that where perpetrators are found, they will be brought to justice.

The Panel's recommendations revolve around six broad themes, and they carry very serious implications. It is in that context that we support the extension of the Panel's mandate for a further period of three months so that it can finalize its work. It will only be at that stage that the Council will be able to examine the recommendations and the further findings of the Panel so that it can take appropriate action.

My delegation supports the action to be taken by the Panel based on its action plan, as well as that outlined in the statement to be delivered by the President at the end of this debate.

We continue to be extremely concerned about the situation in the Democratic Republic of the Congo, because with so many people affected, including more than two million internally displaced persons and refugees in neighbouring States, we have on more than one occasion drawn attention to the makings of an immense humanitarian tragedy.

We are pleased that progress has been made towards the implementation of the Lusaka Agreement. We believe that the mission to be carried out by the Council later this month will go a long way in providing a basis for further action by the Council in support of the implementation of the Lusaka Agreement.

At this stage, my delegation wishes to express our sincere condolences to the families of the staff members of the International Committee of the Red Cross and to the Governments of the Democratic Republic of the Congo, Colombia and Switzerland. Those persons who lost their lives in the cause of peace remind us of the immense pressure under which humanitarian workers — who go into areas into which we often would not send peacekeepers — labour on behalf of the international community.

The discussions today clearly attest to one fact, and that is the need for a comprehensive and lasting peace in the Democratic Republic of the Congo within a regional context involving the entire Great Lakes region. We look forward to that day, and we look forward to continuing support to the people of the Democratic Republic of the Congo and to the people of the neighbouring States as the international community seeks to bring peace to that war-torn region.

Again we emphasize that there can be no military solution to the crisis in the Democratic Republic of the Congo. It is therefore important for us to continue to give our support to the steps leading towards national reconciliation.

Mr. Neewoor (Mauritius): Allow me, first of all, to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of May. We have no doubt that the United States presidency of the Council this month will be very productive and fruitful. We also thank you for holding this important public meeting to discuss the report of the Panel of Experts on the Illegal Exploitation of the Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo by various parties involved in the conflict in that country.

This public meeting is an important opportunity for all interested parties to comment freely on the contents of the report, and the views expressed here will undoubtedly help the Security Council in charting the course of its future action.

In this regard, my delegation is particularly pleased to welcome in the Council Chamber the Foreign Minister of the Democratic Republic of the Congo, Mr. Leonard She Okitundu; the Minister of State for Foreign Affairs and Regional Cooperation of

Uganda, Mr. Amama Mbabazi; the Minister of Finance of Burundi, Mr. Charles Nihangaza; and the Special Envoy of the President of the Rwandese Republic, Mr. Patrick Mazimpaka.

We also appreciate very much the presence of Ms. Safiatou Ba-N'Daw, Chairperson, and of the members of the Panel on the Democratic Republic of the Congo.

My delegation commends the Chairperson and the members of the Panel for the comprehensive report they have submitted in fulfilment of their important mandate. We must all recognize that the Panel has been entrusted with an extremely complex and daunting task. We thank the members of the Panel for the dedication and courage with which they have fulfilled their responsibilities.

A report of this nature, based on investigations carried out in difficult circumstances we all know, will obviously be questioned by concerned parties. There may be criticisms with regard to the form, method and depth of the investigations carried out, as well as on the conclusions, recommendations and comments contained in the report.

In certain cases criticism may be genuine and justified, and in others just superficial. But overall the report has confirmed beyond a doubt that there is indeed massive illegal exploitation of the natural resources of the Democratic Republic of the Congo, including diamonds, coltan, copper, cobalt, timber and gold, and that there is a nexus between such illegal activities and the conflict in the Democratic Republic of the Congo.

The Democratic Republic of the Congo is a sovereign nation, and the resources of the country belong solely to its people. It is unfortunate that this important African country has been engulfed in conflict over the last few years and that several neighbouring countries have become involved in it for one reason or another. It is a sad reflection, however, that the conflict has served as an opportunity for many to plunder the resources of the Congo, particularly at a time when the country has been in a situation of crisis. We urge all concerned parties to cease forthwith all unlawful activities in the Congo.

With regard to the report of the Panel, my delegation supports the proposal that the mandate be extended to enable the Panel to pursue and complete its important work. We urge all parties concerned to cooperate fully with the Panel and to ensure the security of the members of the Panel while it is carrying out its important mandate on behalf of the United Nations.

In the meantime, we support the view that the Security Council should keep in abeyance the application of measures recommended in the present report until the additional report of the Panel becomes available at the end of the three-month extension of the mandate.

We urge the Governments concerned to take such unilateral measures as they deem necessary to ensure that their nationals are not in any manner involved in illegal exploitation of the resources of the Democratic Republic of the Congo. In this regard, we welcome the initiative taken by the Ugandan Government to carry out investigations in the country.

The conflict in the Democratic Republic of the Congo has not only inflicted immense suffering on the people of that country, but has also affected peace and security in the region as a whole. It has also impeded development and progress as well as regional cooperation. This deadly conflict must end, and the way to achieve that is full implementation of the Lusaka Agreement and full compliance with the disengagement plans which have been subsequently signed by all parties involved in the conflict. We urge all the parties to honour their commitments in this regard.

I cannot end without expressing our shock and dismay at the killings of International Committee of the Red Cross (ICRC) workers in Bunia. We hope that the parties that have influence in the area will help identify the assassins and bring them to justice.

Finally, Mauritius supports the presidential statement which is proposed to be issued at the end of this meeting.

The President: I thank the representative of Mauritius for his remarks addressed to me.

I will now make a statement in my capacity as the representative of the United States.

I think that we have had a very interesting discussion today which opens a new dimension to the conflict in the Democratic Republic of the Congo, and my delegation and I listened with great interest to our guests from the region.

The United States believes that the Panel provided a broadly accurate picture of the emerging and troubling economic dimension of the crisis. We may not agree with all of the elements of the report, but we cannot ignore this dimension of the conflict if we want peace to come to the Democratic Republic of the Congo and the region. I am pleased that it seems that we all agree that the Panel should complete its work and should work to further refine its report over the next several months.

The report of the Panel reminds us that the resources of the Democratic Republic of the Congo are not being used for the benefit of the Congolese people. While we do not believe that the pursuit of wealth was a cause of the conflict, we do believe that the unregulated pursuit of the wealth of the Congo is a consequence of the conflict. The longer the conflict drags on, the more blurred the lines between cause and consequence become.

We must also, in looking at the situation in the Democratic Republic of the Congo, give serious consideration to the imminent report of the International Rescue Committee, which maintains that the conflict in the Democratic Republic of the Congo has caused mortality to increase by 1 million deaths per year since the outbreak. We should also bear in mind the humanitarian and human rights reporting of our Secretary-General and his colleagues in the United Nations Organization Mission in the Democratic Republic of the Congo. Finally, we again recall with sorrow and outrage the murder of the International Committee of the Red Cross (ICRC) workers on 26 April.

There are two areas in the report of the Panel of Experts that I would like to call to the attention of the Chairperson and her colleagues in connection with their further work. The first is the inclusion of the former Rwandan Armed Forces (ex-FAR) and Interahamwe in a category labelled as "so-called negative forces". While we are certain that the Panel in no way meant to diminish the opprobrium with which the Council regards the perpetrators of the Rwanda genocide, this is an unfortunate linguistic construction that we hope can be avoided in future.

The second issue has to do with the Kiswahili language, which is misidentified as a foreign tongue spoken by those who invaded the Democratic Republic of the Congo. Kiswahili is widely spoken in the Congo and is a lingua franca of commerce and intellectual life throughout East and Central Africa. It is an African language that binds Africans together within their countries and within their region, and labelling it as a foreign language in the Democratic Republic of the Congo is inaccurate.

The report tells us that the actions of those who are in violation of the sovereignty of the Democratic Republic of the Congo stand out as most objectionable. However, the report also states that the activities of the Congolese rebel groups, the Government of the Democratic Republic of the Congo and some of its allies are contributing to these troubling events. In addition to the message that the Democratic Republic of the Congo's occupiers are financing their activities through illegal or illicit activities, we also take from this report the fact that the country remains subject to foreign and indigenous corrupt practices. While this is a colonial legacy, it is also a post-independence phenomenon. While foreigners must accept their responsibility for the plundering of the Democratic Republic of the Congo's resources, so, too, must Congolese, past and present, take such responsibility.

Another cause for concern has been the failure of the Government of Zimbabwe to cooperate with the Panel. We are not here to pass judgement on that Government's activities, but we must remind each other of our obligation to cooperate with this type of investigation. The Governments that have extended the fullest cooperation are those that came under the greatest criticism. This cannot be allowed to create a future dynamic whereby Governments choose non-cooperation as their best policy option.

I want to repeat something that other speakers have noted, because it is essential to our discussion here today and to the follow-up. Our goal is not to punish or apportion blame; our goal is, and must remain, the successful implementation of the Lusaka Ceasefire Agreement and the relevant Security Council resolutions. I note that Minister Mbabazi and others this morning noted that the Lusaka Agreement offers a unique opportunity to find peace in the region. We agree, and we want to continue working with all of the partners in the area within the Lusaka process to realize its potential.

Peace based on the Lusaka Agreement and the relevant Security Council resolutions is the only answer in the region. That is why the Security Council

is sending a mission to the region later this month, and that is why we are here today. We believe that peace in the Democratic Republic of the Congo must rest on three pillars: the full withdrawal of all foreign forces; the disarmament, demobilization, resettlement and reintegration of armed groups, particularly the former Rwandan Armed Forces (ex-FAR) and the Interahamwe; and the implementation of a new political dispensation arrived at via the inter-Congolese dialogue. Ending the illegal exploitation of the natural resources of the Democratic Republic of the Congo and protecting its people cannot be accomplished in a vacuum, but they are both near-term and long-term requirements. The foreign and domestic parties must end such activities so as to help create a climate in which peace can take root. However, the Congolese parties themselves must also build the institutions that alone can provide for the human rights and welfare of their people.

With new momentum in the peace process, we hope that the conflict in the Democratic Republic of the Congo is coming to an end. As we look to the future, I recall the words of Abraham Lincoln, who, speaking in the waning days of our own national nightmare, said:

> "With malice toward none, with charity for all ... let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Akasaka (Japan): At the outset, I would like to express my Government's shock and deep regret at the deaths of six workers of the International Committee of the Red Cross in the Democratic Republic of the Congo on 27 April, and to extend our sincere condolences to their bereaved families. Such heinous attacks on humanitarian workers must be condemned.

Before commenting on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, I would like to emphasize that the resolution of the conflict in the Democratic Republic of the Congo — in which nearly half of the countries on the African continent are involved and more than 3 million lives have been lost — is critical not only to the countries directly concerned, but to the peace and prosperity of Africa as a whole. Japan urges all the parties concerned to implement the Lusaka Peace Agreement without further delay, and calls upon the Security Council to make every effort to fully implement phase II of the United Nations Organization Mission in the Democratic Republic of the Congo.

The illicit exploitation of diamonds and other natural resources must be stopped, as it poses one of the main obstacles to the settlement of the conflict in the Democratic Republic of the Congo and is a cause of recurring open hostilities. Indeed, as mentioned in the report of the Panel of Experts, the exploitation of non-diamond resources, including such mineral resources as gold and coltan, as well as timber, is also fuelling the conflict in the eastern part of the country. Although the report before us contains a number of recommendations for curtailing the illicit activities, today I would like to focus my comments on the following two points.

First, the relationship between the illicit exploitation of natural resources and the protraction of the conflict in the Democratic Republic of the Congo must be considered in the wider context of consolidating peace throughout the region. This will require a comprehensive and integrated approach. In particular, as part of its efforts to achieve a peaceful settlement of the conflict in the Democratic Republic of the Congo, the Security Council should at the same time address the economic and security problems in neighbouring Burundi, Rwanda and Uganda. It will be necessary to pursue peace-building, post-conflict reconstruction, development and democratization from a regional perspective.

Secondly, in order to ensure the effectiveness of such a region-wide integrated approach, the Council must ensure the smooth transition from one stage of the peace process to the next, from conflict resolution to peace-building to post-conflict development. This will require a coherent strategy throughout the entire period of United Nations involvement. Any gap in the extension of international assistance required at

different stages, particularly at a point of transition from one stage to the next, must be avoided.

As pointed out in the Secretary-General's recent report on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2001/373), the Council must now begin to contemplate entering phase III, which involves the withdrawal of foreign forces as well as the implementation of the process of disarmament, demobilization and reintegration or resettlement of ex-soldiers. In this reconstruction and development phase, social and economic assistance will be especially critical. To ensure that it is extended as smoothly and efficiently as possible, it is incumbent upon the Security Council to cooperate more closely with major donor countries, as well as with international financial institutions such as the International Monetary Fund and the World Bank and with the United Nations Development Programme.

Before concluding, I would like to offer my comments on the reference made in the report to the companies located in various countries, including Japan, which the report claims are importing uncertified timber from a Ugandan-Thai forest company called the DARA-Forest, located in the Ituri area of the Democratic Republic of the Congo. The Japanese authorities are investigating the matter and would appreciate any concrete evidence that the Panel of Experts might have to substantiate the statement made in the report and that would assist our Government in its investigation. I wish to assure members that Japan is doing its utmost to halt such illegal practices.

In this connection, I would like to call the attention of the members of the Council to the communiqué that was issued at the conclusion of the G-8 Okinawa Summit last July, which contained a paragraph calling for the suspension of illegal logging and trade practices in the interest of sustainable forest management. Japan is committed to implementing the provisions of that communiqué in cooperation with the international community.

The President: The next speaker is the representative of Canada. I invite him to take a seat at the Council table and to make his statement.

Mr. Duval (Canada): Canada welcomes the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. The members of the Panel were set an extraordinarily difficult task, and through Ms. Ba-N'Daw we thank them for their work.

For almost three years, the Democratic Republic of the Congo has been torn apart by a conflict regional in scope and devastating in toll. As in Angola and Sierra Leone, where the illicit exploitation of diamonds and other resources has helped fuel conflict, we have had reports of systematic looting of the natural resources, fuelling continued violence in the Democratic Republic of the Congo. As the report before us makes clear, economic interests have been at the very heart of this conflict.

The war in the Democratic Republic of the Congo constitutes a disturbing example of a new sort of conflict, one in which war itself has become profitable, where economic interests compete with political objectives and where the aim of some belligerents is not to prevail, but to sustain the conflict and those conditions that allow criminality to flourish. Advancing peace and human security in such a context is a daunting task.

(*spoke in French*)

The report of the Panel of Experts contains disturbing allegations that the Council must consider carefully. Where the allegations are borne out, the Council must act. In the first instance, the Council should work with the relevant Member States to ensure that action is taken to stop the looting of resources. If those Member States refuse to cooperate, the Council must consider more robust action.

As several speakers have emphasized, it is not a matter of punishment or blame, but rather of ensuring the implementation of the Lusaka Agreement and the decisions taken by the Council. Any individuals, Governments and armed groups that have illegally exploited the natural resources of the Democratic Republic of the Congo and, through their activities, have contributed to the perpetuation of the war there, merit our condemnation. The exploitation of resources, and the fuelling of war, must end without delay. Progress in this regard will be critical to reducing the flow of arms circulating in the region, which is itself a key prerequisite for the achievement of peace.

The illegal exploitation of resources of the Democratic Republic of the Congo contributes directly to the suffering of the civilian populations. The

International Rescue Committee estimates that up to 3 million people have died as a result of the war, directly or indirectly. Three out of four children in the Democratic Republic of the Congo are dying before the age of two. Those who do not die run the risk of being recruited by armed groups fighting for control over regions rich in resources. In some instances, these groups are engaging in deliberate campaigns of terror among civilian populations and committing violations of human rights and humanitarian law with impunity. Populations, forced to flee from violence and to leave their land and homes, are deprived of their means of subsistence, further exacerbating this humanitarian crisis. More than 2 million people are internally displaced, and hundreds of thousands are refugees.

Humanitarian access must be provided to help all these people. All parties to the conflict must respect their obligations, including the need to ensure the safety and freedom of movement of humanitarian personnel. Canada is deeply saddened by last week's tragic murder of six Red Cross workers, and our condolences go to the families of the victims. These events remind us of the often difficult and dangerous environments in which humanitarian workers are operating, often finding themselves in peril while trying to provide protection and assistance to those most in need.

The Lusaka signatories, many of which are at this table, must, without delay, bring this conflict to an end. The implementation of the Lusaka Ceasefire Agreement and relevant Security Council resolutions constitutes the only viable solution to the crisis in the Democratic Republic of the Congo. The inter-Congolese dialogue is also crucial to peace and stability in the Democratic Republic of the Congo and must be held as soon as possible. We are encouraged by the latest achievements of the facilitator, whose Office Canada broadly supports. We welcome the cooperation now extended to the facilitator by the Government of the Democratic Republic of the Congo.

The Government of Canada remains fully committed to the peace process in the Democratic Republic of the Congo, which, we hope, will bring a just and lasting peace to the region.

Full consideration must be given to the report of the Panel of Experts, and the Panel's mandate must be extended so that it can complete their work. A full understanding of the causes of this conflict must be achieved if the international community is to assist the parties in establishing effective political solutions and in choking off economic incentives for the continuation of the war.

The President: The next speaker is the representative of Sweden. I invite him to take a seat at the Council table and to make his statement.

Mr. Schori (Sweden): I have the honour to speak on behalf of the European Union. The Central and Eastern European Countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey align themselves with this statement.

The European Union also welcomes the report of the Panel of Experts, and we recognize the work accomplished by the Panel so far and note with interest the conclusions and recommendations put forward in its report.

The European Union supports the decision by the Security Council to extend the mandate of the Panel of Experts for a period of three months. It is important that this time be given to allow the Panel, *inter alia*, to gather additional information on aspects not fully covered in the report of 12 April, such as the role of certain regional actors, to fully analyse existing data and to gather comments from parties and actors cited in the report. We welcome the commitment by the Security Council to consider both the current report and the expected addendum when the Panel reports back in August with an update on the situation. It is our hope that the follow-up will contribute to the peace process in the Democratic Republic of the Congo, which has seen encouraging developments already.

Though further investigations and consultations are warranted, the European Union wants to put on record today its concern at the general findings in the report. They indicate that widespread illegal exploitation of natural resources and other forms of wealth has occurred in the Democratic Republic of the Congo and that there is a link between exploitation and the continuation of the conflict. That is, in short, unacceptable.

The European Union urges Governments and rebel groups to investigate the information contained in the report, to take action to prevent any illegal

exploitation and to refrain from exploitation contributing to the continuation of the conflict. We also call on other actors, individuals and private companies alike to act responsibly and cease any involvement in illegal exploitation. For its part, the European Union has taken note of the information in the report relating specifically to alleged activities by European companies, and member States are following up on that information.

Today's meeting is crucial as a forum for parties to elaborate their positions in response to the report by the Panel of Experts. The European Union particularly appreciates the presence here today of the Ministers of the Democratic Republic of the Congo, Rwanda, Burundi and Uganda, and I welcome the announcements made this morning by the Ministers of Uganda and Burundi on investigations to be carried out regarding the activities of their nationals. We take their active involvement as a sign of commitment on the part of their Governments to engage in a constructive dialogue on the issues addressed by the Panel. Such political dialogue, both among the parties directly concerned and between them and the Security Council, the United Nations and the international community as a whole, should be pursued to enable measures effectively putting an end to illegal exploitation and to exploitation which sustains the conflict.

Establishing a legal framework for a sustainable management of natural resources is crucial for any long-term development policy. As the Democratic Republic of the Congo and the neighbouring countries gradually emerge from the devastating conflict that has engulfed the region, the opportunities to invest in rehabilitation, reconstruction and socio-economic development will grow. The European Union remains ready to respond to these needs, including by assisting the countries of the region to establish a sustainable framework for resource management.

The European Union reaffirms its position that lasting peace in the Democratic Republic of the Congo can be achieved only through a negotiated peace settlement that is fair to all parties; through respect for the territorial integrity and national sovereignty of the Democratic Republic of the Congo and for democratic principles and human rights in all States of the region; and by taking account of the security interests of the Democratic Republic of the Congo and its neighbouring countries. We reiterate our strong support for the Lusaka Agreement as the consensual basis for peace in the Democratic Republic of the Congo and the region.

In this context, the European Union welcomes the report of the Secretary-General of 17 April reflecting that some progress has been made in the implementation of the Lusaka Agreement and confirming in particular that phase II of the United Nations Organization Mission in the Democratic Republic of the Congo has been launched. The European Union also welcomes the plans for a Security Council mission to the region later this month and hopes that this active commitment by the Security Council can assist the parties in taking the right decisions towards peace.

Studying the interface between economic interests and armed conflicts is vital in order to get a full understanding on a global scale of today's threats to international peace and security. The European Union welcomes the increasing attention given by the Security Council to this aspect in the context of a number of conflicts currently on its agenda.

Finally, I want to add my voice to those that have expressed today their sorrow and outrage at the murder of the six workers of the International Committee of the Red Cross in the Democratic Republic of the Congo. Our sympathies go to their families and relatives.

The President: The next speaker on my list is the representative of Namibia. I invite him to take a seat at the Council table and to make his statement.

Mr. Andjaba (Namibia): I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council and to thank you for arranging this important meeting.

I would also like to take this opportunity to commend Ambassador Greenstock for the excellent manner in which he conducted the work of the Council in April.

My delegation welcomes the Minister for Foreign Affairs of the Democratic Republic of the Congo, as well as the Ministers from Uganda and Burundi and the special envoy from Rwanda.

I would also like to thank the Chairperson of the Panel of Experts, Ms. Ba-N'Daw, for introducing the report of the Panel this morning.

At the outset, I would like to express my delegation's profound sorrow and deep condolences for the tragic murder of six staff members of the International Committee of the Red Cross (ICRC) on 26 April in Ituri province in north-eastern Democratic Republic of the Congo. They died while providing much-needed humanitarian assistance to the people of the Democratic Republic of the Congo. It is our hope that this tragedy will not seriously disrupt the important work of the ICRC and other humanitarian organizations. My delegation condemns this cowardly act in the strongest possible terms and calls for immediate investigations to ensure that the perpetrators and their instigators are brought to justice. These murders, furthermore, should be condemned by everybody. This latest incident is again proof of the massive violations of human rights and international humanitarian law that are being committed in the eastern part of the Democratic Republic of the Congo.

Contrary to what we have heard from some delegations this morning, the Panel produced an objective, comprehensive and well-substantiated report. Its working methods were sound and it had an inclusive approach by holding extensive discussions with Governments, international organizations and non-governmental organizations. The use of primary resource documents, often produced by countries themselves, and of vital statistics objectively revealed the discrepancies between exports and trade before and during the war in the Democratic Republic of the Congo. This approach has confirmed beyond any doubt the ruthless plundering of the resources of the Democratic Republic of the Congo by the aggressor countries, the rebel groups and individuals beyond normal trade under bilateral or multilateral trade agreements.

I, for one, did not expect the countries of Uganda, Rwanda and Burundi to say: "Yes, we are looting the resources of the Democratic Republic of the Congo". Even in 1998, when these countries first aggressed the Democratic Republic of the Congo, they were denying that they had troops in the Congo, but eventually they admitted it. Burundi in particular denied it until recently, when they confirmed to the world that they had withdrawn three battalions from Congo and that two remained. This information is with the Security Council, and we believe that the international community should not be fooled by such denials.

Furthermore, the quality of the report reflects the high degree of professionalism of the Panel members. Throughout their work they have maintained a strict evidentiary standard to substantiate their findings. The conclusions reached in the report also clearly show that the invasion of the Democratic Republic of the Congo took place for economic reasons, not because of security concerns as claimed by the invading forces. The Security Council should take strong measures to correct the situation and to deter the committing of similar atrocities in the future.

My delegation fully supports the conclusions reached by the Panel. Throughout, the report contains alarming revelations, such as the role of some international financial institutions in directly or indirectly encouraging the illegal exploitation of the natural resources of the Democratic Republic of the Congo. The fact that those institutions never questioned the increasing exports of resources by the aggressor countries, and even rewarded them with the Heavily Indebted Poor Countries Debt Initiative when it was clear that they were plundering the resources of the Democratic Republic of the Congo, is of deep concern and should be further investigated.

We have said from the beginning that Namibia's involvement in the Democratic Republic of the Congo was never motivated by economic benefit, but rather by the principle of helping defend a fellow State member of the Southern African Development Community against aggression from outside. That action was in full conformity with the Charter of the United Nations and with the charter of the Organization of African Unity, and it was aimed at restoring peace and stability in the Democratic Republic of the Congo.

The Namibian Government supports the recommendations made by the Panel of Experts aimed at curbing the illegal exploitation of the natural resources of the Democratic Republic of the Congo. It is of particular importance that due compensation be paid to the people of the Democratic Republic of the Congo for the expropriation of their property and for the general looting of the country. The Namibian Government, furthermore, supports the extension of the mandate of the Panel of Experts, which will allow the Panel to conduct follow-up investigations.

Namibia's support for the implementation of the Panel's recommendations is rooted in its firm belief that all avenues should be explored and all

opportunities investigated to cultivate an environment conducive to the implementation of the Lusaka Agreement. In that regard, we call on the Security Council to ensure that the Lusaka Agreement, the Kampala and Harare disengagement plans and relevant Security Council resolutions are fully implemented. Of particular importance is the implementation of resolution 1304 (2000), which, among other things, demands the complete demilitarization of Kisangani.

The Panel disturbingly concluded that

> "Exploitation of the natural resources of the Democratic Republic of the Congo by foreign armies has become systematic ... and the constitution of criminal cartels [is] becoming commonplace in occupied territories. These criminal cartels have ramifications and connections worldwide, and they represent the next serious security problem in the region." (*S/2001/357, para. 214*)

That conclusion should provide enough urgency for the Council to take immediate action to put an end to those criminal activities.

Finally, my delegation welcomes the Council's decision to send a mission to the Great Lakes region this month. We hope that the outcome of the visit will generate further momentum for the peace process in the Democratic Republic of the Congo.

The President: The next speaker is the representative of Sudan. I invite him to take a seat at the Council table and to make his statement.

Mr. Erwa (Sudan) (*spoke in Arabic*): I wish at the outset, Sir, to congratulate you sincerely on your assumption of the presidency of the Security Council for the month of May. We take this opportunity to hail the rich programme of work you have laid out for the month. In the same vein, my congratulations go also to our friend Sir Jeremy Greenstock on his sterling performance as President last month, and on the outstanding results achieved under the United Kingdom presidency.

We had originally had no intention whatsoever of making a statement at today's meeting of the Security Council on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo (S/2001/357). We are convinced of the validity of the reasons for which the Council established the Panel of Experts, and we believe that the Panel has put a great deal of work into the preparation of this commendable report. We hope that, within the context of its mandate to maintain international peace and security, the Council will be able to find appropriate ways to put an end to the plundering of the wealth of the Democratic Republic of the Congo and to punish the perpetrators.

Yet because of the Ugandan regime — the stench of whose corruption has become suffocating — we are forced to make this statement. The President of that country and his regime — who are known to lie as easily as they breathe — have once again chosen to deflect the accusations against them by spreading falsehoods. They have therefore spread falsehoods regarding the reasons for their open invasion of the Democratic Republic of the Congo — an invasion that violates all international laws and customs — by using flimsy pretexts which include the need to contain the danger emanating from Sudan. Those pretexts include the false accusations contained in the letter from the Minister Counsellor of Uganda to the President of the Security Council (S/2001/378), which the Minister of Uganda said today contained their official position with regard to the report of the Panel of Experts.

Facts are always self-evident. Sudan's borders with the Democratic Republic of the Congo are now, as they have been for more than 10 years, under the control of the rebels of the Sudan People's Liberation Army (SPLA) in southern Sudan. Moreover, since 1996 the borders with Uganda have been under the control of the rebels acting in collusion with that country, which also undertook a similar invasion of Sudanese territory. The point nearest to the border between the Democratic Republic of the Congo and Uganda to be under the control of Sudanese Government is over 150 miles away.

How could the false pretexts so often repeated by the Ugandan leadership be accepted logically? The ongoing pretexts put forward by the Ugandan regime to claim that the invasion of the Democratic Republic of the Congo took place to end security threats from Sudan did not stand for long. For the report of the Panel of Experts has revealed a fact which has become amply clear to everyone, which we have often repeated in this Chamber, in the General Assembly and in other forums, and which has nevertheless fallen on deaf ears. We have said more than once that the Ugandan invasion of the Democratic Republic of the Congo was part of that country's very dangerous scheme to exploit

the wealth of the Democratic Republic of the Congo. That is also the conclusion reached by the Panel of Experts mandated by the Council to investigate such violations.

Paragraphs 27 and 28 of that report clearly indicate that Uganda's intervention in areas where gold and diamond mines are located took place for economic and financial aims. Political and security pretexts were merely a cover for systematic and broad-based operations to loot the wealth of the Democratic Republic of the Congo. In the final analysis, those operations were in the interest of the corrupt President of Uganda and the corrupt members of his family. Is Uganda claiming that Sudan gave the order to set up the Panel of Experts, or that Sudan was the one to carry out investigations and draft the report of the Panel? Uganda's letter and its message against Sudan is, in our opinion, an insult to the intelligence of others.

The Ugandan regime that is trying to convince the international community, by using illogical and completely nonsensical pretexts with regard to its aggression against the Democratic Republic of the Congo, is the same regime that is causing the crises and catastrophes being suffered in the Great Lakes region. It is the same regime that threatens regional peace and security. It is the very same regime that violated international principles — foremost among those being the Charters of the United Nations and of the Organization of African Unity (OAU) — in an unprecedented action that runs counter to every international principle regarding international relations.

Even if we were to assume that Uganda intervened in the Democratic Republic of the Congo for security reasons, such a pretext should still be clearly condemned by the Security Council as far as international relations are concerned because it represents a distorted logic regarding safeguarding international peace and security. It is a very dangerous justification because it would theoretically allow any State to attack Uganda on the same basis. We must also bear in mind that several countries bordering Uganda face very serious security threats coming from Ugandan territory, including that Government's direct support for terrorists, outlaws, mercenaries and child abductors.

The Ugandan regime lamenting Sudan's support of rebel groups in Uganda before the Council today is the very same regime that has embraced the rebellious movement in southern Sudan and is providing those rebels with logistical and military facilities for their terrorist acts in southern Sudan. In fact, the Ugandan regime is also carrying out the systematic exploitation and looting of the natural resources of Sudan in areas bordering Uganda that are occupied by the rebels, just as they are doing in the Democratic Republic of the Congo. We also have information pointing to the systematic looting of Sudan's gold, timber and ivory resources. This makes it clear that the corrupt clique in Uganda was not satisfied with the wealth looted from the Democratic Republic of the Congo, wealth that transformed Uganda overnight into a gold- and diamond-exporting State. Instead they went further and proceeded to loot the southern part of Sudan.

The Ugandan regime can make all sorts of claims and allegations and advance all sorts of pretexts. But it will not succeed in convincing the international community that their intervention in the Democratic Republic of the Congo was for security purposes. The proof is clear and the report is self-evident; not to mention the fact that the leadership of Uganda has been known to be blood-thirsty and to have expansionist aims known to all.

The Ugandan President should be considered the new Hitler of Africa. He is attempting to build an illusory empire upon the skulls of the innocent peoples of the Great Lakes region.

Sudan has responded to all of the proposed initiatives and mechanisms aimed at putting an end to differences with Uganda. Unfortunately, they have not borne fruit because of the lack of political will on the part of the Ugandan side, which has attempted to impede all of the agreed-upon measures.

The Ugandan leadership must recognize that it is no longer protected by forces behind which it can stand as it implements its own agenda. The President of Uganda will no longer be the spoiled child of certain Powers. Times are changing, and interests are also changing. All of the immoral actions that have taken place have become clearly evident.

Sudan totally rejects the Ugandan accusations, which are aimed at drawing Sudan into a separate battle. This is a desperate attempt to turn attention away from the documented crimes of looting which are clearly set out in the report before the Council. Sudan calls on the Security Council to act firmly, after obtaining all of the evidence and the facts, to deter the

Ugandan leadership from its course of action, following public recognition of its invasion of the Democratic Republic of the Congo, its continued looting of that country's wealth and its continued presence therein.

The President: The next speaker on my list is the representative of Angola. I invite him to take a seat at the Council table and to make his statement.

Mr. Mangueira (Angola): First, I would like to congratulate you, Sir, on behalf of my Government and on my own behalf, on your assumption of the presidency of the Security Council for the current month. I would like also to congratulate the outgoing President on the able and wise manner in which he conducted the proceedings of this body during his mandate.

I also would like to take this opportunity to express our gratitude for the holding of this open meeting of the Council on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, and to acknowledge the presence of the Ministers of the Democratic Republic of the Congo, Rwanda, Uganda and Burundi.

The report under consideration is a document of important factual value that describes the various modalities of the massive pillage and illegal exploitation of natural resources that is taking place in the Democratic Republic of the Congo, and it particularly focuses on the ramifications and connections between the funding of such activities and the persistence of the conflict in that country. We compliment the group of Experts on their excellent research.

The circumstances of the presence and the mandate of Angola and its allies in the Democratic Republic of the Congo are widely known. The report actually makes a clear distinction between the role of the "invited forces" and that of the "invading forces" when it refers to Angola and Namibia as the two countries that fund their participation in this conflict with expenditure money from their ordinary budget and do not behave in a suspicious way.

In the case of Angola, that distinction shows a recognition of my Government's policy, which is based, inter alia, on the principle of the defence of a country's sovereignty and borders; on respect for the sovereignty of other States; and on the pursuit of a policy of good-neighbourliness.

A solution to the Congo issue undoubtedly can be reached only with the implementation of the Lusaka accords and their additional protocols, as well as the implementation of the pertinent resolutions of this body, which would establish the necessary prerequisites for a lasting solution to the questions raised in the report, such as the pillage and illegal exploitation of natural resources and other riches - a process in which the international community can play an important role.

To conclude, it is our understanding that the recommendations of the Expert Panel are to be the object of special attention on the part of the Council, particularly with regard to the adoption of concrete measures to put an end to the illegal exploitation of natural resources and to seek compensation and reparations for damages in the Democratic Republic of the Congo.

The President: The next speaker is the representative of the United Republic of Tanzania. I invite him to take a seat at the Council table and to make his statement.

Mr. Mwakawago (Tanzania): My delegation appreciates the opportunity to address the Security Council in this open debate on the Democratic Republic of the Congo. My delegation also welcomes the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo. We see it as a notable contribution to our collective effort to create the necessary conditions for peace and prosperity for the Democratic Republic of the Congo and its people.

Tanzania is a country that shares a border with the Democratic Republic of the Congo. As a result of the war in that country, we have had to host refugees from the Democratic Republic of the Congo. We have also painfully witnessed their suffering, even as we have to bear the burden of hosting them. This phenomenon has distracted us from more pressing issues of development in our border regions. Concerning the Democratic Republic of the Congo, for my President, Mr. Benjamin Mkapa, and his Government, nothing has been of such singular importance as peace in that country. Peace for the

Democratic Republic of the Congo is therefore not only in the interests of the Democratic Republic of the Congo, but in our self-interest as well.

In this regard, we view with considerable concern the allegations made by the Panel of Experts in paragraph 145 of the report regarding the role of the seaports and airports in Dar es Salaam as a transit point for what are described as the commercial activities of the RCD-Goma, as well as that of the Bank of Tanzania as a holding point for diamonds from the Democratic Republic of the Congo before they are allegedly shipped to Belgium, the Netherlands and South Africa. We consider those to be serious allegations.

It is instructive that these allegations are made under part III of the report, entitled "Links between the exploitation of natural resources and the continuation of the conflict". The obvious and perhaps unintended implication is, of course that the port, the airport and the Bank of Tanzania are either knowingly or unknowingly being used to finance the continuation of the war in the Democratic Republic of the Congo. In the event that these claims were true, such activities would no doubt be in clear violation of the stated policy and commitments of the Government. The Government is therefore interested in the veracity of the allegations.

Regrettably, the report does not offer much help in this regard. In paragraph 145, the report alleges that a preponderance of information obtained from documents and individuals in Dar es Salaam and elsewhere

> "overwhelmingly suggests that RCD-Goma and others are marketing the natural resources of the Democratic Republic of the Congo — gold, diamonds and timber — through Dar es Salaam."

That paragraph, however, proceeds to note that the RCD-Goma has fashioned a mechanism that grants an appearance of legitimacy to the documents covering the shipments, "complete with the required stamps and signatures indicating approval and issuance in Kinshasa and Lubumbashi".

Yet surprisingly, the report fails to make a determination about the real likelihood of parties in Tanzania dealing with those documents at their face value and in good faith. This is of particular importance because, as a country, we have a legitimate undertaking to facilitate the lawful shipment of goods destined for or coming from the landlocked countries along our western borders, including the eastern Democratic Republic of the Congo, as agreed between our two Governments.

Furthermore, it is also a matter of concern that in paragraph 146, the report alleges that

> "The shipments of gold, diamonds and timber are also processed in Dar es Salaam in cooperation with RCD representatives by a company believed to be a covert business entity created for the purpose of facilitating support for the financial and logistical operations of RCD-Goma."

Both the RCD representatives and the covert company remain unnamed. It is even more puzzling that those activities are said, in the same paragraph, to be "exclusive of operations handled by the Government of Rwanda, via Kigali". My Government would like to have details so that it can investigate them.

My Government is willing and ready to play a very constructive role in our efforts to end the war in the Democratic Republic of the Congo. But we can do so only in the context of irrefutable facts or a transparent process. We are too conscious that this has not been an easy task for the Panel of Experts. However, under the prevailing circumstances, it is difficult for us to respond in a constructive and meaningful way to the allegations contained in paragraphs 145, 146, 182 and 191 of the report.

For my Government, the door for dialogue with the Panel and this Council remains open. Regrettably, notwithstanding the findings in paragraphs 145, 146, 182 and 191, apparently obtained through third-party sources, "overwhelmingly" suggesting the use of entities in Tanzania as a transit point for the inappropriate marketing of the natural resources of the Democratic Republic of the Congo, the Panel chose not to visit Dar es Salaam, as evidenced in annex II of the report. Consequently, no Government official, nor any known Tanzanian, was interviewed. This neglect may have unwittingly undermined the relevance of those parts of the report to which we are addressing ourselves. This significant flaw requires a remedy.

We also continue to extend our hand of cooperation. This we do in the interests not only of peace for the Democratic Republic of the Congo, but of peace and prosperity in the region.

In conclusion, my delegation joins previous speakers in expressing our deep regret for the loss of life of the six workers of the International Committee of the Red Cross (ICRC) in the Democratic Republic of the Congo last month. We extend our sincere condolences to the ICRC and to the bereaved families. We condemn the perpetrators of the dastardly act; they should not go unpunished.

The President: The next speaker inscribed on my list is the representative of Zimbabwe. I invite him to take a seat at the Council table and to make his statement.

Mr. Jokonya (Zimbabwe): Like my colleagues who spoke before me, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May. The timing of today's meeting, coming as it does immediately after the release of the Secretary-General's report on the Democratic Republic of the Congo, could not be more perfect, and my delegation regards it as a privilege to pronounce itself on an issue of such import before the Security Council.

My delegation welcomes the open debate on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, and would like to take this opportunity to congratulate the Chairperson, Ms. Ba-N'Daw, and her Panel, for the sterling work they accomplished in such a short period of time. Ms. Ba-N'Daw and her team can confirm that, true to its word, Zimbabwe extended its full cooperation to the Panel when it visited Harare during the course of the investigation.

The revealing report before us provides insights into the economics underpinning contemporary armed conflicts in the Great Lakes subregion. For Zimbabwe, this report is a vindication of what we have said all along: the true cause of the conflict in the Democratic Republic of the Congo is not the loud discourse of grievance, but the silent force of greed.

Against a backdrop of past failures by the international community to account for the presence of economic agendas in conflict situations, which have at times seriously undermined international efforts to coordinate fragile peace agreements, this report, an indictment of those countries that have invaded the Congo, should impel this body to spare no effort in ensuring the withdrawal of the uninvited forces from the Congo, in accordance with Security Council resolutions.

Let me hasten to point out that, while efforts by the enterprising aggressor States in the Congo to benefit materially from war through looting and/or other forms of violent accumulation is hardly a new phenomenon, this has been made possible by the wilful participation of an international private sector which must also be shamed for adopting a neutral stance on a conflict that has cost the lives of 3 million innocent Congolese. The international private sector, particularly the extractive and service sectors, must be engaged to establish how they view the role they have played in fuelling and sustaining the conflict in the Democratic Republic of the Congo.

In the wake of the findings of this report, my delegation finds it extremely difficult to sustain the "security concerns" thesis of the aggressor States, on the one hand, and the "grievance" argument of their surrogates.

We can argue hither and thither about the grievance of the rebel groups, but this report shows beyond any reasonable doubt that what we have in the Congo is a greed-motivated rebellion.

While it is not my delegation's intention to belabour this point, let us remember the story of the two drunks who fought because they were drunk, and when asked about the altercation, they justified their drunken behaviour with explanations of grievance, arguing "He struck me first". The true cause of conflict — drunkenness — was masked by the discourse of grievance. In a real-world conflict, such as we are witnessing in the Congo, this discourse of grievance, whether along ethnic, political or social lines, also masks underlying realities about where the origin of the conflict lies. But thanks to this report, it is now evident that the prodigious endowment of the Congo with natural resources is a curse and not a blessing. The international community has an obligation to criminalize the primary commodity trade through which the aggressor States have done well out of war.

My delegation notes with interest that the report identifies Zimbabwe as a "special case". How interesting. By the statement of its President of 2 June 2000 (S/PRST/2000/20), the Security Council requested the Secretary-General to establish an expert panel on the illegal exploitation of natural resources of the Congo with a mandate to collect information on all

activities of illegal exploitation of natural resources and other forms of wealth of the Congo, including in violation of the sovereignty of that country. Bearing that in mind, allow me to remind this esteemed body that Zimbabwe is in the Congo at the invitation of the legitimate Government of that country.

On 27 March this year, President Joseph Kabila of the Democratic Republic of the Congo addressed the Parliament of Zimbabwe. After expressing appreciation for the "African solidarity" shown by Zimbabwe, Angola and Namibia in responding to the request of the legitimate Government of the Democratic Republic of the Congo to defend its territorial integrity and sovereignty, and after inviting and encouraging mutual beneficial economic cooperation between Zimbabwe and the Democratic Republic of the Congo and referring to "our mutual projects like SENGA MINES, among others", he had this to say:

> "The joint ventures between our two Governments are not to be confused with the looting of the mineral resources of the Democratic Republic of Congo, as is the case in the occupied zones of my country."

He went on to invite experts from both sides to come up with "new creative projects that will benefit our two countries", and said that "we must accelerate the implementation of the Memorandum of Understanding, which includes free-trade circulation of goods and people between our two countries". President Joseph Kabila concluded by saying that

> "The relationship between the Democratic Republic of the Congo, Angola, Namibia and Zimbabwe in particular and the SADC region in general must be a good example of integration and southern African cooperation."

Who is better qualified to pronounce himself on the legality of the economic cooperation between Zimbabwe and the Democratic Republic of the Congo than the President of the Democratic Republic of the Congo himself?

The report before us insinuates that my President, Mr. Robert Gabriel Mugabe, once told unnamed interlocutors that the late President Kabila had given him a mine concession. The suggestion here is that my President derived personal gain from Zimbabwe's intervention in the Democratic Republic of the Congo. In the same breath, in paragraph 165, the Panel says that it "does not draw any conclusions" from Zimbabwe's economic cooperation with the Democratic Republic of the Congo. Why then does it allow this insinuation to be embedded in the report? My Government dismisses this innuendo with the contempt that it deserves.

As pointed out by President Joseph Kabila, the joint ventures and other operations of Zimbabwean companies in the Democratic Republic of the Congo are above board and are carried out under agreements with the Government of the Democratic Republic of the Congo and in compliance with the laws of that country.

Allow me to observe that many foreign countries and companies, the majority from the developed countries, are operating in the Democratic Republic of the Congo, in accordance with international and domestic laws of that country in the same manner that Zimbabwe is doing, and yet they are not treated as "special cases".

President Joseph Kabila's explanation of Zimbabwe's intervention in the Congo therefore differs very much from the conclusions drawn by the report before us, and it is not difficult to see why.

Because the report treats Zimbabwe's intervention in the Congo from an ahistoric perspective, it renders the whole exercise a perfunctory one, whereby the Panel congratulates itself for doing its job by coming up with conclusions of non-cooperation, but for the wrong reasons.

To set the record straight, let us go back down memory lane to 1998. At the Southern African International Dialogue on smart partnership, held in the Namibian coastal town of Swakopmund at the end of July 1998, President Museveni of Uganda asked President Mugabe, in his capacity as Chairman of the Organ on Politics, Defence and Security of the Southern African Development Community, to convene a meeting to discuss the situation in the Democratic Republic of the Congo. Museveni told President Mugabe of Zimbabwe, President Mkapa of Tanzania and President Nujoma of Namibia that trouble was brewing in the eastern Congo, and that Mugabe and his colleagues needed to call Kabila of the Democratic Republic of the Congo and Bizimungu of Rwanda to ascertain what was happening.

Pursuant to President Museveni's request, President Mugabe called a summit meeting of the Democratic Republic of the Congo, Uganda, Rwanda, Zambia, Tanzania and Zimbabwe at Victoria Falls on 7 and 8 August 1998. The disagreement at the Victoria Falls Summit regarding the nature of conflict in the Democratic Republic of the Congo — whether it was an internal rebellion against Kabila, as claimed by Rwanda and Uganda, or a foreign invasion — resulted in the setting up of a committee comprising Namibia, Tanzania, Zambia and Zimbabwe that had a dual mandate. The mandate was as follows: to verify whether the fighting in the Democratic Republic of the Congo was the result of an internal rebellion or an aggression by neighbouring countries and to recommend a way forward, depending on the findings.

In pursuance of the above, the Foreign Ministers of Namibia, Tanzania and Zambia, headed by Zimbabwe's Foreign Minister, visited Uganda, Rwanda and the Democratic Republic of the Congo, including Goma, from 11 to 18 August. During their trip, the team held extensive discussions with Presidents Museveni, Bizimungu, Kabila and Kagame and the rebel leadership in Goma, as well as the people of the eastern Congo, regarding the war situation.

The ministerial team concluded that while there were rebels in the Democratic Republic of the Congo, there was very clear and irrefutable evidence of a foreign invasion, that propped up the rebellion. In addition to eyewitness reports of Rwandese troops passing through the war front, there was also the interesting coincidence that the rebellion started only after Kabila had dismissed Rwandese officers from the army of the Democratic Republic of the Congo.

After realizing that he could not contain the foreign invaders alone, the late President Kabila appealed for assistance from the member countries of the SADC. The request was made at a meeting of the Inter-State Defence and Security Committee that was held in Harare on 18 August to consider the situation in the Democratic Republic of the Congo. The military intervention by Angola, Namibia and Zimbabwe came as a result of this appeal by the internationally recognized Government of the Democratic Republic of the Congo, a member of SADC. Furthermore, the request of the Democratic Republic of the Congo to SADC was in line with Article 51 of the United Nations Charter regarding the right of a State to ask for military assistance when its security, sovereignty and territorial integrity are threatened. The decision was also in line with a resolution of the Inter-State Defence and Security Committee at a meeting held in Cape Town, South Africa, in 1995, at which SADC countries agreed to take collective action in the case of attempted coups to remove Governments by military means. It was in this spirit that troops from Botswana and South Africa intervened in Lesotho to suppress an armed mutiny against the Government in 1998.

In line with the Lusaka Ceasefire Agreement, Zimbabwe has started withdrawing its forces form the Congo and my delegation would like to take this occasion to reaffirm that Zimbabwe has no hidden agenda in the Congo and seeks only to safeguard its territorial integrity and sovereignty.

I would also like to bring to memory the role Zimbabwe has played in the cause of African liberation and dignity. Zimbabwe deployed its forces in Mozambique in 1995 to fight alongside their Mozambican counterparts against RENAMO, a surrogate of apartheid South Africa. Those same troops were to remain in Mozambique for seven years and effectively contributed to ending the war in Mozambique with only one purpose: to help Mozambique regain peace, stability and development.

My delegation supports the Panel's recommendations around the outlined broad themes of sanctions against countries and individuals involved in the illegal activities; preventive measures to avoid a recurrence of the current situation; reparations to the victims of the illegal exploitation of natural resources; improvement of international mechanisms and regulations governing some natural resources; and security issues.

In conclusion, let me quote David Keen, who has observed:

> "Conflict can create war economies, often in the regions controlled by rebels or warlords and linked to international trading networks where members of armed gangs can benefit from looting. Under these circumstances, ending civil wars becomes difficult. Winning may not be desirable; the point of war may be precisely the legitimacy which it confers on actions that in peacetime would be punishable as crimes."

The adoption of the report's recommendations will act as a disincentive to those forces that have

unleashed violence on the Congolese people, purportedly in search of security.

The President: I now call on the Minister of State for Foreign Affairs and Regional Cooperation of Uganda.

Mr. Mbabazi (Uganda): I wish, belatedly, to pass on our condolences to the bereaved families of the six workers of the International Committee of the Red Cross who died in eastern Congo and to inform this Council that the Uganda People's Defence Forces have undertaken to help in the effort to investigate and trace those who are responsible for committing this crime.

I would also like to inform this Council that, two days ago, on 1 May, at the border of the Democratic Republic of the Congo and Uganda, at about 6 p.m. local time, a truck full of local people was coming from the market on the other side and was attacked, presumably by the Interahamwe. The local Muslim leader and his wife were killed, as were two businessmen, while three others were wounded. This is very close to the place where, in 1999 — in March, I believe — eight tourists and a Ugandan game park warden were killed by the same forces. I felt that I should give this Council that information so that it may be informed about the situation in the border area.

Finally, I would simply want to say that I will not respond to the statement made by the gentleman from Sudan, for fear that people may not be able to tell the difference between us.

The President: I thank the representative of Uganda for his statement about the effort by Uganda to cooperate in bringing to justice the killers of the workers from the International Committee of the Red Cross.

I call on the Special Envoy of the President of the Rwandese Republic.

Mr. Mazimhaka (Rwanda): I would like to make a few final remarks on the debate which, I think, has been very illuminating and very instructive for my delegation on the thinking and the direction of this very important investigation that the Council has undertaken to institute.

We have tried today to reiterate to the Council the historical reasons for our involvement in the Congo. The security problems caused by criminal forces based in the Democratic Republic of the Congo to our countries — Rwanda, Uganda and Burundi — are not deniable. Examples are abundant. My colleague has just mentioned some of the latest. These should be addressed by the Council and ourselves through the process that we have undertaken to return normalcy to that region. This was one of our recommendations.

Unfortunately, before this meeting has even ended, we have begun to see the fallout from some of the problems that we think lie with the report. Member countries that would not cooperate with the Panel have used this occasion today to come and lambaste everybody and proclaim their innocence in the exploitation of the resources of the Congo. This was the case in the speeches made by the representatives of Namibia and Zimbabwe. They have used this occasion to bring back debates that we thought we had put to rest, debates of invited and uninvited parties to the Lusaka Agreement. This is not very helpful at all, and they take this courage from the report they thought was the point of departure in this.

Even if this was the case, I do not believe that the Government of the Democratic Republic of the Congo invited Namibia and Zimbabwe to go there to loot. So there cannot be any justification for feeling self-congratulatory, because they did not cooperate with the Panel.

My colleague did not say this, but I think it is important for us to note that the intervention of the President of the Sudan simply took up an issue that Minister Mbabazi had raised about exposing unduly the personalities in our region to abuse, and I believe the courage and the occasion to do that were given by the debate of an otherwise worthy cause, that is, the investigation of the misuse of resources in the Congo. I think we should take care that no other actions are taken based on this report until we have seen a full investigation and a fuller debate than what we have held today.

I wish to reiterate in front of the Council that the Government of Rwanda will once again cooperate with the Panel when it is exercising its extended mandate.

The President: I thank the Special Envoy for his statement and for his repeated affirmation of willingness to cooperate with the Panel in the future.

There are no further speakers inscribed on my list. I want to thank the Ministers, the Panel Chairperson, and the Panel members for their work and

their contribution to this phase of our discussion. I think the discussion, as the Special Envoy just said, has been illuminating in many respects. There are differences in perspective, of course, but there seems to be some grounds for hope that progress can be made in addressing and resolving the concerns that were raised and explored today.

I would express my own hope that in the future discussions in this Chamber on this subject and others we could avoid excessive rhetoric that does not contribute to the purposes of this Council.

The Council's own view of this phase of our discussions on the Democratic Republic of the Congo will be set out in a statement that I will make on behalf of the Council in the near future, that is, in the next five minutes.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

This meeting is adjourned, to be followed by the next session of the Council in five minutes.

The meeting rose at 5.50 p.m.

United Nations S/PV.4318

Security Council

Fifty-sixth year

Provisional

4318th meeting

Thursday, 3 May 2001, 5.40 p.m.

New York

President:	Mr. Cunningham	(United States of America)
Members:	Bangladesh	Mr. Amin
	China	Mr. Chen Xu
	Colombia	Mr. Franco
	France	Mr. Florent
	Ireland	Mr. Cooney
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Neewoor
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Mr. Bhatia
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Pyvovarov
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-35938 (E)

The meeting was called to order at 5.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Letter dated 12 April 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/357)

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/416, which contains the text of a letter dated 24 April 2001 from the Secretary-General.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council recalls the statement of its President of 2 June 2000 (S/PRST/2000/20). It expresses its intention to give full consideration to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo (S/2001/357). It takes note of the action plan of the Expert Panel for the extension of its mandate (S/2001/416).

"The Security Council notes that the report contains disturbing information about the illegal exploitation of Congolese resources by individuals, Governments and armed groups involved in the conflict, and the link between the exploitation of the natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict.

"The Security Council condemns the illegal exploitation of the natural resources of the Democratic Republic of the Congo and expresses its serious concern at those economic activities that fuel the conflict. It urges the Governments named in the report in this regard to conduct their own inquiries into this information, cooperate fully with the Expert Panel while ensuring necessary security for the experts, and take immediate steps to end illegal exploitation of the natural resources by their nationals or others under their control.

"The Security Council notes with concern the terrible toll the conflict is taking on the people, economy and environment of the Democratic Republic of the Congo.

"The Security Council believes that the only viable solution to the crisis in the Democratic Republic of the Congo remains the full implementation of the Lusaka Ceasefire Agreement (S/1999/815) and the relevant Security Council resolutions.

"The Security Council emphasizes the importance of a comprehensive approach addressing all the root causes of the conflict to achieve a lasting peace settlement in the Democratic Republic of the Congo.

"The Security Council requests the Secretary-General to extend the mandate of the Expert Panel for a final period of three months, and requests also that the Expert Panel submit to the Council, through the Secretary-General, an addendum to its final report which shall include the following:

"(a) An update of relevant data and an analysis of further information, including as pointed out in the action plan submitted by the Panel to the Security Council;

"(b) Relevant information on the activities of countries and other actors for which the necessary quantity and quality of data were not made available earlier;

"(c) A response, based as far as possible on corroborated evidence, to the comments and reactions of the States and actors cited in the final report of the Expert Panel;

"(d) An evaluation of the situation at the end of the extension of the mandate of the Panel, and of its conclusions, assessing whether progress has been made on the issues which come under the responsibility of the Panel.

"The Security Council expresses its intention to examine and respond to the recommendations of the report in the light of the addendum submitted by the Panel, so as to advance the peace process in the Democratic Republic of the Congo."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2001/13.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 5.50 p.m.